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No. 143

## House of Representatives

The House met at 2 p.m.

The Reverend Bruce Bigelow, Pastor, Lake Hills Baptist Church, Schererville, Indiana, offered the following prayer:

Our Lord, we come before Thee and we gather together to do business, to do business for this Nation and for Thee. We have sought to follow Thee. You have said feed the hungry, and we have fed the hungry. You have said give drink to those that are thirsty, and we have given drink. We have blessed others abundantly because You have blessed us as a Nation in great abundance. You have blessed us beyond that which we deserve, and we thank You for Your graciousness and Your mercy to us.

I pray that You will bless the men and women of this Congress as they gather together and wrestle with the issues of the day. May You help us as a Nation to turn from selfishness and help us to show graciousness and love and kindness, ministering to those around us and meeting their needs. Bless this Congress as they act this day. May You lead them and bless them. In Jesus' name I pray it. Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Indiana (Mr. VISCLOSKY) come forward and lead the House in the Pledge of Allegiance.

Mr. VISCLOSKY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 56. Concurrent resolution expressing appreciation for the contribution of Chinese art and culture and recognizing the Festival of China at the Kennedy Center.

### WELCOMING THE REVEREND BRUCE BIGELOW

(Mr. VISCLOSKY asked and was given permission to address the House for 1 minute.)

Mr. VISCLOSKY. Mr. Speaker, it is my privilege to introduce our guest chaplain, Reverend Bruce Bigelow, pastor of the Lake Hills Baptist Church in Schererville, Indiana.

Reverend Bigelow was born on the South Side of Chicago and was raised in Gary, Indiana. Reverend Bigelow began his life of service in 1967. For the past 32 years, he has served as the senior pastor of the Lake Hills Baptist Church and will be retiring this coming April.

In his time as pastor, Lake Hills Baptist Church has grown from less than 100 members to over 450 today. The church now includes a modern family life center. In addition, it joyfully gives 30 percent of all donations it receives to help support missionary projects in the community and around the world. The congregation also provides practical help to children, teenage and college age youths, young mothers, and senior adults. Through his actions and those of the members of the church, Reverend Bigelow has brightened and made meaningful so many lives.

Throughout his time in the ministry, Reverend Bigelow has been supported by his wife Janice, his dear wife of 40 years, who has joined him today. They

have three grown daughters and seven grandchildren, all who reside in Indiana.

Let us hope the words of his inspiring prayer will remain with us and his dedication to the ministry will always be appreciated.

### EMINENT DOMAIN

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, last June, in a 5 to 4 decision, the Supreme Court ruled that the government may force property owners to sell their property to make way for private economic development when officials deem it beneficial to the public. With that decision, Susette Kelo and 15 of her neighbors lost their fight to hold on to their homes. One neighbor forced to sell her home was born there in 1918 and lived in the house her entire life.

The properties Kelo and her neighbors are being forced to abandon will not be a replaced with a needed road or school but with upscale housing and a marina.

The sanctity of private property is one that Americans hold dear, and this Supreme Court decision threatens that. This House has appropriately responded by offering the Protection of Homes, Small Businesses, and Private Property Act of 2005 which would protect property by limiting the power of eminent domain.

Mr. Speaker, the fifth amendment to the Constitution prohibits the government taking private property except for public use. The protection of our homes, small business, and other private property rights against government seizure is one of the fundamental principles this country was founded upon. If the highest court in the land will not protect this right, it is up to us to do so.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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## EMINENT DOMAIN

(Mr. RYUN of Kansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYUN of Kansas. Mr. Speaker, the House will vote this week on H.R. 4128, the Property Protection Act, to secure all Americans' rights to what they have earned. On June 23 of this year, the Supreme Court ruled 5 to 4 in the decision of *Kelo v. City of New London* that economic development can be a public use under the fifth amendment's taking clause.

The public reaction to this decision was both swift and decisive. In Kansas, people are outraged. In a polling conducted by the Wall Street Journal, 11 out of 12 Americans said they oppose the taking of private property, even if it is for public economic good.

H.R. 4128 would prohibit the Federal Government from taking personal property, private property for economic development purposes. The bill would also deny States and localities from receiving any Federal economic development funds if they abuse their eminent domain power. H.R. 4128 would negate this unfortunate ruling and restore Americans' constitutional right to be secure in the property that they have worked hard to obtain. I urge the House to stand with me and protect private property rights.

## MCCAIN AMENDMENT TO DEFENSE APPROPRIATIONS BILL

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute.)

Mr. MORAN of Virginia. Mr. Speaker, I rise today in strong support for instructing conferees on this year's defense appropriations bill to include the amendment by our colleague in the Senate, JOHN MCCAIN. This provision would simply provide for uniform standards for the interrogation of persons under the detention of the Defense Department and a prohibition on cruel, inhumane, or degrading treatment or punishment of persons under custody or control of the U.S. government.

Mr. Speaker, in the wake of the scrutiny and embarrassment that our Nation has endured following the treatment of detainees at Abu Ghraib and Guantanamo Bay, it is imperative that we proclaim to the rest of the world that this policy defined by this amendment does in fact reflect the law of the land and the conscience of our country. Providing our soldiers with clear written guidance on how to treat detainees not only protects their interests but underscores the freedoms and the values we cherish as Americans and that we claim to be the very reason we have gone to war in Iraq, Afghanistan, and other parts of the world.

Today, as a Congress, we must respect and honor our Nation and those that risk their lives to serve it, and we can do that by supporting the McCain

amendment in the defense appropriations bill.

## BEHEADINGS IN INDONESIA

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Mr. Speaker, I rise today to share the outrage of the people of Indonesia with my colleagues regarding a case of horror that occurred this past weekend.

While walking to school on the morning of Saturday, October 29, in Central Sulawesi, three teenage girls were attacked by Islamic extremists. The attackers murdered the young ladies by hacking them with machetes and eventually severing their heads from their bodies.

Why this attack? They had done nothing wrong. They were simply teenage girls walking to school.

As this horrible tragedy affirms, the Indonesian government must crack down strongly and firmly on these barbaric extremists in Indonesia. Otherwise, these terrifying events will continue.

Photos are too graphic to show, but they show a young girl wearing a Princess Diaries t-shirt who will never again have the chance to dream like many little girls do of being a princess. Extremists have robbed her of her dream.

I urge the Indonesian government to spare no resource in rooting out these extremist perpetrators and other human rights violators from Indonesian society.

## BUDGET CUTS IMPACT LATINO EDUCATION

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, I rise today in opposition to the Republican proposal to cut \$14 billion from Federal student aid programs. Education is the key to opportunity for all who live in America. This is particularly true for Latino students.

Latino students currently represent 44 percent, or 2.7 million, of California's students enrolled in elementary and secondary schools. Yet more than 61 percent do not graduate and only 39 percent of those Latino students in LA receive a high school diploma.

Latinos only represent 12 percent of all undergraduates who attend colleges and universities. For many low-income working-class students, financial barriers are the determining factor in whether or not they go to college.

Instead of helping to allow our students to achieve greater access to higher education, the college gap is widening. Republicans propose a budget that will make the largest cut to student aid programs in history and will force the typical student borrower to pay an additional \$5,800 for his or her college student loans. I urge my col-

leagues to vote against these cuts and instead make sure every student in the country has access to affordable college opportunities.

## EMINENT DOMAIN

(Mr. DOOLITTLE asked and was given permission to address the House for 1 minute.)

Mr. DOOLITTLE. Mr. Speaker, everyone remembers the schoolyard bully who pushed the smaller kids around and took their lunch money just because he was bigger and stronger. Bullying wasn't okay in elementary school and it isn't okay now, especially when it comes in the form of a U.S. Supreme Court decision.

In *Kelo v. City of New London*, the Supreme Court empowered the government to seize private property, including someone's own home or place of worship, and transfer it to another private owner as long as the transfer would provide an economic benefit to the community. Simply put, the Supreme Court has given government the broad power to seize private property for any use, so long as it generates tax revenue.

Tomorrow, the House will take up H.R. 4128, the Private Property Rights Protection Act, in an attempt to prevent the abuses the Court has allowed by its decision in the *Kelo* case. The bill prohibits States and localities from receiving any Federal economic development funds if these entities abuse their power of eminent domain.

This action is an appropriate use of Congress' spending power and will prevent homeowners, churches, and small businesses from being forced to give up their private property simply because it is not generating the maximum possible tax revenue.

□ 1415

## BLAMING WRONG PEOPLE FOR EMINENT DOMAIN DECISION

(Mr. FRANK of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRANK of Massachusetts. Mr. Speaker, I agree with the previous speaker and many of the other Republican speakers that the recent decision allowing eminent domain for private economic gain was a bad one. But my colleagues on the other side of the aisle are blaming some of the wrong people.

The Supreme Court was not the author of this policy. What the United States Supreme Court did in the *Kelo* case was to allow elected officials at the State and local level to go forward with what they wanted. In other words, the complaint of my Republican colleagues about the Supreme Court in this case is, where was judicial activism when we needed it?

They are denouncing the Supreme Court because it did not overturn the decision of locally elected officials. I

happen to agree in this specific case. But try to square that with their rhetoric in which they are talking about activist judges and unelected officials.

What they are implicitly acknowledging here is that there are times when they very much want unelected and lifetime-appointed judges to overturn what local officials did, because the case here of eminent domain is a case not of the Supreme Court taking anything aggressive. As I said before, the Supreme Court does not use eminent domain. That building across the street has not gotten one inch bigger since I got here. What the Supreme Court did was to allow the local officials' decision to stand. That is the kind of lack of activism that my Republican colleagues deplore.

#### REPUBLICAN POLICIES PROVIDE ECONOMIC SUCCESS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in October, our office attended numerous ribbon-cutting ceremonies at new businesses in the second district of South Carolina. These exciting events demonstrate economic growth in our community.

President Bush and House Republicans are dedicated to decreasing taxes and eliminating government regulations, and we continue to witness positive results from these economic policies. Last Friday, the Commerce Department reported that the economy grew 3.8 percent in the third quarter, exceeding analysts' expectations. Americans entrepreneurs have created more than 4.2 million new jobs over the last 28 months. Homeownership is the highest level in history. Today's unemployment rate is 5.1 percent, which is lower than the average rate of the last 3 decades.

As American families continue to profit from the Bush tax cuts, I am confident the economy will grow larger and new small businesses will continue to pop up in communities throughout our country.

In conclusion, God bless our troops, and we will never forget September 11.

#### NEED FOR INTELLIGENCE ANSWERS IN LIGHT OF LAST WEEK'S INDICTMENT

(Ms. BERKLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BERKLEY. Mr. Speaker, the American people deserve to know if the Bush administration hyped faulty intelligence to win approval to go to war in Iraq. This Republican-led House refuses to even explore these issues. At least the Senate conducted an investigation last year. It concluded the intelligence was suspicious and outdated. The second part of that investigation

was supposed to examine why this faulty intelligence was presented to the world as a slam-dunk.

It has now been exactly 1 year since the investigation was scheduled to begin, and the Senate Republicans have refused to move forward. What are they afraid of?

Fed up with Republican stall tactics, the Senate minority leader, HARRY REID, moved for the Senate to go into a rare closed-door session to demand the investigation proceed. Thanks to Nevada's Senator HARRY REID, the Senate Republicans were shamed into restarting this investigation. Let us hope it now moves forward so the American people can finally determine if the Bush administration knowingly misled this country into war.

Mr. Speaker, the indictment of Scooter Libby shows that the Bush administration was willing to go to any length possible to silence its critics and cover up the intelligence that contradicted its claims for the war in Iraq.

#### CHECK ON SUPREME COURT DECISION

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Speaker, Thomas Jefferson said that "the true foundation of republican government is the equal right of every citizen in his person and property," and the fifth amendment to the Constitution states "nor shall private property be taken for public use without just compensation."

Thanks to a recent Supreme Court ruling on eminent domain, the fifth amendment has been vastly expanded so that it now means "for the bottom line." Public use has been redefined to say simply that tax revenues are more important than neighborhoods.

The Founding Fathers did not mean "public use" to be defined as potential future economic development to increase tax revenues. Private property rights of our citizens are now competing with tax revenue and private developments. The Constitution is meant to protect the rights of our citizens, not compete with the bottom line, and certainly not to provide the government with an excuse to seize our property.

Our system only works with appropriate checks and balances, and this week Congress should exercise its check on a wayward Supreme Court decision and pass legislation that will demonstrate that increasing tax revenues should not trample the rights of private property owners.

#### THE VOLCKER COMMITTEE REPORT

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, the recent release of a report from the Independent Inquiry Committee into the U.N. Oil-for-Food Program, also known as the Volcker Committee, has once again brought the issue of U.N. mismanagement to the forefront.

According to the Volcker Committee, \$1.8 billion in kickbacks and illicit surcharges were paid to Saddam Hussein's government by nearly 2,200 different companies in widespread abuse of the Oil-for-Food Program. As we can see, the Oil-for-Food Program lacked proper accountability and oversight, and thus caused massive fraud and abuse.

Unfortunately, this lack of accountability and oversight is nothing new at the United Nations. As the largest U.N. donor, the U.S. has the responsibility to ensure that the dollars of the American taxpayers are not being wasted. Until such accounting reforms are made, no United States money should be sent to the U.N. Only after such reforms are enacted will the United Nations begin its return to relevancy.

#### PUSHING FOR SAFER CYCLING CONDITIONS IN MEMORY OF JEANNE MENARD

(Mr. INGLIS of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INGLIS of South Carolina. Mr. Speaker, the bicycling community in Greenville, South Carolina, and my own office had a tragic loss this week. Jeanne Menard was a bicyclist and an enthusiast in Greenville who was struck and killed by a car. Maybe it was the fact that the sun was low in the sky, maybe it was a dirty windshield, maybe it was inattention, maybe it was all of those things. In any event, somebody who had given her time very recently to distributing helmets to school children in one of our parks was killed in our town.

As a society, we want to promote a healthier lifestyle. We want people to ride bikes in order to relieve congestion on our streets, in order to make them healthier and just to have some fun.

The problem is that we are not all attentive to those bikes. In South Carolina, there were 21 bicyclists killed in 2004; so far this year, 10. Nationwide, 600 bicyclists have been killed yearly in crashes with automobiles.

I applaud groups like the League of American Bicyclists, the Palmetto Cycling Coalition, the Spartanburg Free-wheelers and the Greenville Spinners, of which Jeanne Menard was a part, in their efforts to promote bike safety; and I hope that all of us will take the opportunity to spread the word in our own districts.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PUTNAM). Pursuant to clause 8 of rule

XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

#### ONLINE FREEDOM OF SPEECH ACT

Mrs. MILLER of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1606) to amend the Federal Election Campaign Act of 1971 to exclude communications over the Internet from the definition of public communication.

The Clerk read as follows:

H.R. 1606

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Online Freedom of Speech Act".

#### SEC. 2. MODIFICATION OF DEFINITION OF PUBLIC COMMUNICATION.

Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(22)) is amended by adding at the end the following new sentence: "Such term shall not include communications over the Internet."

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. MILLER) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

Mr. MEEHAN. Mr. Speaker, I seek to manage the time allocated for the opposition to the motion.

The SPEAKER pro tempore. Does the gentlewoman from California support the motion offered by the gentlewoman from Michigan?

Ms. ZOE LOFGREN of California. I do.

The SPEAKER pro tempore. The gentleman from Massachusetts will control the 20 minutes reserved for the opposition.

The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER).

GENERAL LEAVE

Mrs. MILLER of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1606.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the advent of the Internet Age has brought about a host of new ways for citizens to participate in the political arena. Web sites, e-mail, and blogging have provided new avenues for political activists to reach out to potential voters, to raise issue awareness, to solicit contributions, and to mobilize the get-out-the-vote efforts.

The Internet has also generated a more widespread flow of news information through not only mainstream media sources but also independent Web sites and blogs. Most importantly, it has created a completely new opportunity for all citizens to exercise their right to free speech by opining on the most important issues of the day as they see them, as the citizens see them.

Unfortunately, Mr. Speaker, all of this activity is actually under attack today. When Congress passed the Bipartisan Campaign Finance Reform Act in 2002, the law apparently was unclear on what impact it would have on political speech on the Internet. The Federal Election Commission interpreted the law to say that Congress did not intend to regulate the Internet when it passed BCRA. The bill's sponsors disagreed, and they sued the FEC in the courts.

A recent appellate court decision will force the FEC to implement a rule that would cover Internet communications. If the Congress does not act now and make it clear that it does not want the Internet to be regulated, the FEC will adopt a new rule to regulate the Internet; and by passing H.R. 1606, also known as the Online Freedom of Speech Act, Congress can prevent this from happening.

H.R. 1606, introduced by the gentleman from Texas (Mr. HENSARLING), amends the Federal Election Campaign Act of 1971 to exclude Internet communications from the definition of "public communication," thus exempting Web sites, blogs, and online advertisements from Federal Elections Commission, FEC, regulation.

This bill has very, very strong bipartisan support. In testimony before the FEC and before the Committee on House Administration, both liberal and conservative bloggers expressed their support for this exemption. Senate minority leader REID has introduced a companion bill in the U.S. Senate and written to the FEC to express his belief that the Internet should not be regulated.

The regulations proposed by the FEC could limit the ability of online activists to talk to campaigns, to give discounts on advertisements, to spend money maintaining their site, to link to candidates' sites, to advocate the election of a candidate, or to send political e-mails.

The FEC would potentially grant some bloggers and online publications what is known as the "media exemption," which would allow these bloggers to operate free of FEC regulation like any standard newspaper or news program. However, the rules were very unclear about how the FEC would determine who qualified for the exemption. Potentially, the FEC's rulings could become content-based restrictions on speech and on free speech.

As we consider this legislation, Mr. Speaker, we must remember that the Internet is not like traditional forms of

media. Unlike television and radio, activists do not require large sums of money to post their message on the Internet. Also, the number of people reached and the success of communication are not directly linked to the amount of money that is spent.

In addition, the Internet is not an invasive medium. In other words, the recipients of communication are exposed to the communication only after they take deliberate and affirmative steps to find a particular Web site. Further, the Internet has generated a surge in grassroots involvement in the political process.

Mr. Speaker, historically, Congress has regulated political speech only where it has the potential to cause corruption or the appearance of corruption. There has been no demonstration that the growth of the Internet has had a corrupting influence on politics. There is, however, ample evidence that the Internet has had a positive effect on our political system by encouraging young people, a whole new generation of people, to get involved in our political process.

□ 1430

Any Internet regulations would be complicated and difficult for a lay person to understand. Bloggers and other online activists should not have to worry about accidentally running afoul of campaign finance laws when they are expressing their own opinions on the Internet.

Regulatory proponents claim regulations are necessary to reduce the influence of wealthy interests. In fact, Mr. Speaker, these complex regulations, if enacted, would actually increase the influence of big money and politics, because then only the wealthy could afford to hire election attorneys to be certain that they were abiding by these very complicated regulations.

The Committee on House Administration, under Chairman NEY's leadership, had a hearing on this topic back last September; and, at that hearing, several Members of Congress and of the committee, including myself, actually suggested that the Congress needed to step into this process to clarify Congress' intent on this issue instead of leaving it up to Federal agencies and the court system.

Congress began this discussion by passing BCRA. By debating and voting on this bill today, the House will clarify once and for all its intent on this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. MEEHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to House bill 1606. This legislation, under the guise of protecting bloggers, actually undercuts the progress made by the Bipartisan Campaign Reform Act and reopens the floodgates of corrupting soft money in Federal elections.

I also rise in opposition to this legislation being considered on the suspension calendar when it is so clearly a

controversial matter on which there has never been a committee markup for members to offer amendments and, under the rules, we cannot offer amendments here today.

The debate today is about what is the best way to approach coordinated expenditures that are campaign-related on the Internet. We all understand that the Internet is a wonderful tool for political activity. Its accessibility and generally low cost are invigorating to the body politic. I belong to moveon.org. I read my e-mails every time they are up. But, by the same token, its increased usage by candidates and parties and the increased resources being put into this technology for campaign advertising suggest that we need to be cautious about attempts to exempt all Internet activity from Federal campaign finance laws.

Let me say a couple of words about bloggers, because bloggers have generated and received a lot of attention here. No one wants to regulate bloggers, not the campaign finance reformers, not the Democrats, not the Republicans, not the Federal Election Commission. That is clear. The question is whether to exempt individual speech, as I have proposed, or create blanket exemptions for entities as varied as labor unions and major corporations who make soft money contributions at the behest of candidates, on behalf of candidates, and at the direction of candidates.

That is why The New York Times editorialized yesterday in opposition to H.R. 1606, and they argued that the bill uses freedom of speech as a fig leaf.

The issue here is not individual speech. The issue is corrupting soft money. The primary constitutional basis for campaign finance regulation is preventing corruption or the appearance of corruption of candidates or officeholders. Creating a new way for Members of Congress or the Cabinet to solicit and then coordinate or control unlimited amounts of soft money is precisely the scenario campaign finance reform banned.

We are talking about legislators. For example, let us say we had a prescription drug bill that was written by the pharmaceutical industry. This Congress could pass that bill in the middle of the night, and then Members of Congress who passed the bill could actually ask those same pharmaceutical interests to write six-figure checks for campaign ads for them to appear on the Internet.

But let me give another example. What could happen is you could have an energy bill, provisions of which were written by the oil and gas industry. Let us say a company like Exxon, as a result of it, had the highest profits they have ever had, record profits because of gasoline prices going out of control. The same people who advocated for that energy bill that Exxon supported could go to Exxon and say, could you use some of those profits to support my

campaign with a massive online campaign ad buy.

This is no minor affair. This is a major unraveling of the law.

As Senators MCCAIN and FEINGOLD have made clear, this is not free speech, this is paid speech, politically paid for with unlimited corporate and union contributions.

It is important to note that the bill under consideration today uses the exact same language that the FEC tried and that a Federal court struck down. The judge in that case, Colleen Kollar-Kotelly, wrote that the provisions would "permit rampant circumvention of the campaign finance laws and foster corruption." She went on to say that the provision would "severely undermine" the campaign finance law. Her rulings have gone before the D.C. Court of Appeals twice, and they have been upheld.

Just days ago, a CNN poll found that the American people believe that corruption in government is the second most important issue facing this Nation after the economy. The American people are tired of the scandals.

We are considering today a bill that flies in the face of public concerns about corruption and is likely to create new corruption and new scandals. The bill that we are considering will also allow political parties to use soft money to pay for Internet ads bashing candidates.

Experience teaches us that professionals who are political will find ways to exploit any perceived loopholes. For example, the national party soft-money loophole started as a minor blip in the 1980s and exploded into a half a billion-dollar binge by the 2000 cycle. Corporations and billionaires will be enabled to pay for Internet-related expenses of requesting candidates or requesting parties, and the public will not have a clue where this money comes from, because virtually all they will see is the Internet advertising designed and created by candidates.

That is one of the reasons why this bill is opposed by Common Cause, opposed by Public Citizen, opposed by U.S. PIRG, opposed by Democracy 21, and opposed by the League of Women Voters. That is why The Washington Post editorialized this week that this would be carving a huge cyber-loophole in the soft money ban. That is why The New York Times said yesterday, "make no mistake about it. This bill is to protect political bagmen, not bloggers."

In protecting bloggers, we need to approach this the right way, and this bill is the wrong way.

I have introduced a bill with the gentleman from Connecticut (Mr. SHAYS) called the Internet Anti-Corruption and Free Speech Protection Act of 2005. Under this legislation, communications over the Internet by individuals on their own Web sites would be treated the same as they are in H.R. 1606. But our substitute, which we cannot allow today, we are not allowed to

present, would not blow open the same gaping loophole for paid advertising.

Unfortunately, because the leadership has chosen to bring this up under a suspension of the rules, we are unable to offer our substitute. The suspension calendar is for naming post offices and other noncontroversial matters. It is not a place to create new loopholes in the campaign finance laws. Limiting the democratic process and stifling the debate is an unacceptable way to undertake such an important matter of public policy. It is wrong to do so. It is unfair. It is an abuse of power.

So why are we rushing through this suspension? I urge my colleagues to oppose this suspension so that we might be able to have a full debate, including consideration of the Shays-Meehan alternative bill to protect bloggers, without creating new avenues for corruption.

Mr. Speaker, I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself 15 seconds to respond to my distinguished colleague from Massachusetts who referenced three editorial boards.

I think it is important to note that these editorial boards are nothing more than paid scribes. They literally make their living by using the first amendment. But everyone knows that the Internet has negatively affected the cash flow of the institutional print media. It is the height of hypocrisy for the print media to use their right to free speech to opine against their competition on the Internet.

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I rise in strong support of H.R. 1606, the Online Freedom of Speech Act.

My bill is a simple one. It is only one sentence long. It achieves one goal, but that goal is a worthy one: the protection of free speech on the Internet.

Without this legislation, I fear that the cold, callous, and clumsy hand of Federal regulation may stifle political speech in cyberspace. Recently, we know the Federal judiciary ruled that, absent our congressional action, the FEC must regulate this form of speech, even though the FEC clearly does not want to. The newest battlefield in the fight to protect the first amendment is the Internet. Today, the Internet is free from FEC regulation. Clearly, it should remain that way.

The Internet is a marketplace of ideas that welcomes all participants on equal footing. It is extremely cheap. In fact, if one has access to the Internet at home or a public library, it can be free, absolutely free. A Web site's success is driven by the quality of its content, not the quantity of funds that are poured into it. It is one of the most democratic forms of speech that we know today, and it is an outstanding opportunity for all individuals across

our Nation to participate in our democratic process and impact public policy.

The Internet, Mr. Speaker, is the new town square; and campaign finance regulations are not appropriate there. Not only would such regulation be a nightmare to administer and enforce, it would place complex responsibility on ordinary citizens that would functionally restrict their political free speech and violate their first amendment rights. Today, thousands and thousands of Americans run blogs that are focused on politics, and millions of viewers visit their favorite bloggers' Web sites for commentary often not found in the mainstream media.

Without H.R. 1606, I fear that bloggers one day could be fined for improperly linking to a campaign Web site, or merely forwarding a candidate's press release to an e-mail list, and the list goes on. If bloggers are compelled to hire lawyers to navigate this complex, gray, murky world of Federal regulation, many will simply cease to operate. That would only leave the wealthier participants in this blogosphere and undermine public access to information and the chance for smaller groups to participate in our democracy in this fashion.

Those opposing the bill claim that some day, somehow, somewhere, there may be corruption. Yet the FEC itself could not see the threat of corruption that is present in a "medium that allows almost limitless, inexpensive communication across the broadest cross-section of the American population." Let those who cry corruption cite examples and carry the burden in this debate to abridge the first amendment rights of our citizens. Mr. Speaker, it is a heavy burden to carry.

In 2002, before I came to this body, Congress passed a sweeping new campaign finance law; and, in a rare moment of restraint, nowhere in the new law did Congress impose restrictions on the Internet. Consequently, the FEC, the entity solely devoted to regulating campaign activity, left that promising new technology alone.

Under the new law, public communications were clearly defined; and, just as clearly, the Internet does not appear on this list. Mr. Speaker, I am quite certain that Congress was aware of the Internet's existence 3 years ago. Indeed, it is mentioned in other parts of the legislation.

So, logically, the FEC declined to regulate public communications online, equating the give and take on the Internet to candidate forums and rallies and debates that are open to the public. Just like on the street corner, people can talk back to a blog by writing their own posts or establishing their own sites. How do you talk back to a radio ad except with another radio ad that costs perhaps tens of thousands of dollars to run? This is very different. Web sites and messages are very effective, very democratic, and very affordable tools, a different means of communication.

Despite congressional silence on this matter, in 2004, a Federal court instructed the FEC to regulate Internet communications, and that process is under way. Because the vast majority of Web sites are independently and inexpensively operated, regulatory burdens are going to limit the Internet's usefulness as a political forum.

I am gratified to see the thoughtful and energetic response of the blogosphere to these proposed rules. It is just this type of free exchange of opinions that we are trying to protect today. The bottom line is that campaign finance laws must enhance, not hinder electoral participation; and I should note that campaign blogs and all official campaign activities will still be regulated by the FEC after the passage of this legislation.

I am proud that my democratic colleague, the gentleman from Michigan, the ranking member of the House Judiciary Committee, has cosponsored this bill, signifying that this is truly a bipartisan effort. In the other body, the distinguished Senate minority leader has partnered with my friend, Senator COBURN, to defend American freedom of speech online by introducing this identical language in the other body.

Over 200 years ago, in this House of Representatives, James Madison stated, "The people shall not be deprived or abridged of their right to speak, to write, or to publish their sentiments." Today, Congress finds itself debating the very same rights under far more modern realities.

□ 1445

New regulations are not the answer each time a new technology emerges. The bipartisan Online Freedom of Speech Act protects the first amendment rights of Internet users and prevents the FEC from making needless and arbitrary distinctions.

When the choice is between more regulation and more freedom, we should always err on the side of freedom.

Mr. MEEHAN. Mr. Speaker, I yield such time as he may consume to my colleague, the gentleman from Massachusetts (Mr. FRANK), who knows and understands the rules and procedures of this institution as well as anyone who has ever served here.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MEEHAN) for yielding me the time.

Mr. Speaker, I have to comment on the irony that we have people here defending vigorous open debate and free speech by invoking one of the most restrictive procedures of the House of Representatives. Apparently, people here believe that James Madison thought that there should be free debate except in the Congress of the United States.

Under the procedure, and people should understand who will be monitoring this debate, for many of us the key issue is not the substance. Yes, I think we ought to legislate. It is the

outrageous high-handed arrogance we have seen now become, unfortunately, second nature to the majority, that brings an important bill invoking constitutional principles and history and modern technology, and how you integrate those, and the question of campaign finance, into the most restrictive procedure.

We have 40 minutes to debate this. No amendments are possible. Apparently this is the perfect bill. This must have sprung like Minerva from the forehead of Zeus in perfect form, and here it is. God forbid that the United States Congress or House of Representatives should be able to amend it or change it.

It will be here. Take it or leave it. And of course the assumption is that people who agree that we should not be restricting the free use of the Internet will be so intimidated by the fear that if they voted "no" they will be criticized that they will fall in line.

No, I do not think that works any more. I think the American public is smart enough to know that the end does not always justify the means and that the irony of purporting to defend free speech by shutting it down in the Congress of the United States is too bizarre.

You want to know how restrictive this is? This procedure allows a total of 40 minutes for debate. Is 40 minutes a lot of time? This Republican majority has regularly kept roll calls open after debates have finished for longer than we get to debate this bill. They will spend way more than 40 minutes twisting each other's arms in private, rather than allow us to have the debate time.

What, are we overworked? We are hardly as a Congress overworked. We would have plenty of time to debate it. Whatever happened to the notion that a bill comes out of committee, and I am a ranking member of a committee. I would not allow for my committee, if I could help it, a bill to come to the floor where there was substantial opposition under suspension of the rules.

This has nothing to do with the substance. There are issues to be debated here. Forty minutes and no debate. The rules are suspended because free speech is so important to these supporters that free speech must be sacrificed as we get it. They are going to destroy the village in order to save it. If someone would explain to me, I would yield my time, why we could not have this as a regular bill under regular procedure.

Is there some reason unbeknownst to me that kept us from having this as a bill that came to the floor, that people can go to the Rules Committee and we could have amendments and we could debate it for more than 20 minutes on each side. I would be glad to yield to any advocate of free speech who can tell me why it has become inapplicable in this bill.

Well, I have no takers. Apparently, all we get in defense of this is free silence. And I will commend my colleagues for having the good sense not to try to defend their procedure.

Mr. DOOLITTLE. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. DOOLITTLE. Mr. Speaker, as I recall, it was the gentlewoman from California (Ms. ZOE LOFGREN) who thought this would be an appropriate procedure to bring it to the floor on suspension. So there was no abuse of power. This is strongly supported by both parties. I anticipate it will pass today. Otherwise, we will take a rule, and we will do it the regular way.

Mr. FRANK of Massachusetts. Mr. Speaker, reclaiming my time, let us do that. Let us defeat this now and send it to a rule. The gentleman from California's (Mr. DOOLITTLE) idea of a substantive defense is maybe a tribute to the gallantry that he continues to exemplify long after it may have gone out of fashion. He says the reason this is a good idea is that the gentlewoman from California (Ms. ZOE LOFGREN) said so.

I highly esteem my colleague from California with whom I disagree in this case. But the notion that her imprimatur is in itself a substantive defense of failing to follow the regular procedure does not meet the argument.

Ms. ZOE LOFGREN of California. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentlewoman from California.

Ms. ZOE LOFGREN of California. Mr. Speaker, I did opine at the hearings, since there was complete agreement among all of the Members present, that we did not want to regulate the Internet, that we might be able to take care of this on the suspension calendar.

And I never have felt so powerful in the minority as I do today.

Mr. FRANK of Massachusetts. Mr. Speaker, reclaiming my time, you said all of the Members there present. How many were there?

Ms. ZOE LOFGREN of California. Mr. Speaker, I was the only Democrat present.

Mr. FRANK of Massachusetts. Mr. Speaker, how many Republicans?

Ms. ZOE LOFGREN of California. Mr. Speaker, I do not remember.

Mr. FRANK of Massachusetts. Mr. Speaker, so apparently four or five Members have been able to do this. I will repeat that we have heard no substantive defense of why this came.

I would agree with what the gentlewoman from California (Ms. ZOE LOFGREN) said, sometimes you do not know something is controversial; but once you learn that it is, then you have the regular procedure.

Mr. BASS. Mr. Speaker, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from New Hampshire.

Mr. BASS. Mr. Speaker, I am planning to speak in opposition to the bill, but I thought that I heard the gentleman say a minute ago that he planned to oppose it. Is that correct?

Mr. FRANK of Massachusetts. Mr. Speaker, reclaiming my time, do I op-

pose it? Yes, I oppose it. Under this procedure I will oppose it. I will not support the diminution, the continued reduction of democracy in the House.

And I think, yes, there could be a lot of free speech, but not by shutting it down in the House. I will say again, nobody can give us a substantive justification of why this is being done this way. Look, this involves the Constitution. It involves the complex issues of campaign finance regulation. It involves how you take technology and how you adapt basic constitutional principles to it, and that is to be debated by 20 minutes on each side, and that is to be preformed with no amendments.

Mr. Speaker, it is a joke. It is self-parody. Let us all defend free speech by not having any. I hope that this is voted down and that we then can have an appropriate debate under the rules of the House with amendments and with full discussion.

Mr. MEEHAN. Mr. Speaker, I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself 15 seconds to respond to the gentleman.

Mr. Speaker, we are actually being accused of abuse of power, as I understand it, for bringing up the Senate minority leader's companion bill.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentlewoman yield?

Mrs. MILLER of Michigan. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, again, invoking one other individual does not pass for substantive debate. I am surprised. Do you not understand what real argument is?

Mrs. MILLER of Michigan. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. ZOE LOFGREN), who is a distinguished member of the House Administration Committee that did ask for us to bring this up under suspension.

Ms. ZOE LOFGREN of California. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I understand the procedural objections to this, and certainly when I made the suggestion during our hearing that we could probably handle this on the suspension, I believed that was the case. Obviously, there is more controversy than I had believed at the time.

But I still believe that this bill is very much worth supporting, and I do support this bill. If I believed what the New York Times and the Washington Post said, I would indeed be concerned. I was a strong supporter of the bipartisan Campaign Reform Act of 2002. I signed the discharge petition.

I voted for it. I am glad it passed. I would note, however, that what the bill before us does today is really a lot more modest than the rhetoric would lead one to believe. It does not repeal section 441(b) of the act that prohibits contributions or expenditures by national banks, corporations, or labor organizations. And all of the hoo-rah-rah

about soft money and corporate money, I am sure it is sincere, is simply, as a matter of law, incorrect.

What this bill would do would be to allow communications on the Internet to avoid the heavy hand of regulation. And I do believe that is important. Today, if a local candidate has a Web page and they decide to say something very positive about the election of their party's candidate for President, they have a problem under the FEC rule.

And if my Web site, Lofgren for Congress, links to Feinstein for Senate, I probably am violating the rules. And there is no need for that. We do not want the heavy regulatory load on the Internet, nor do we need to do it.

Under current law, unless we pass this exemption, Daily Chaos, which if they call me for a comment on a candidate and it was run on their daily Web site within the specified time, we might have an actual problem here unless they are entitled to the press exemption. It is not clear that they are.

Mr. Speaker, I think it is very important since the court was not sure what our intention was when we passed BCRA that we should make it clear that the Internet is not part of the public communications covered by the act.

I do believe that in coming from Silicon Valley, especially so, that the ability to use the new technology to promote the viewpoint of individuals is essential to the growth of democracy. We have seen ever-increasing numbers of people participate in elections.

I think part of the reason for that is the ability to use the Internet to communicate. We are concerned, and rightly so, about the cost of TV. It costs a huge amount of money to run TV ads. Well, the cost to send an e-mail is almost nothing. So the use of the Internet is a great democratizer; that is little "d," not big. We need to make sure that communications using the Internet are protected.

Mr. Speaker, it is worth noting that what this bill will do would be to protect the technology, to protect the Internet itself. It would not reduce in any way the prohibitions found in 441(b) any more than a corporation could use its funds to buy lawn signs or political signs; they could not pay for ads either.

And so I do think that it is worth noting that for the record I would just like to say that in this case the bloggers have got it right. This bill will keep the FEC out of the business of regulating political speech on the Internet.

Mr. MEEHAN. Mr. Speaker, I yield myself 35 seconds.

Mr. Speaker, I am a friend of the Internet. In fact, I sponsored legislation that would exempt bloggers from FEC legislation.

But the issue is how we draw the lines to balance. We do not exempt the Internet from laws controlling child pornography; we do not allow child pornography on the Internet. We do



not exempt the Internet from consumer safety laws. We do not exempt the Internet from intellectual property or copyright laws. We do not because we think those laws are important.

We wrestle with the details of unavoidable and unintended consequences. Why do we do the hard work of wading through the details? Because why would we do anything else? Why should we disregard the integrity of the political process?

Mr. Speaker, I yield 1½ minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise to oppose H.R. 1606, the soft money loophole ban. Three years ago, Congress spoke: corrupting soft money should not be part of the Federal election process. When President Bush signed the Bipartisan Campaign Finance Reform Act, he made unlimited Federal soft money donations illegal.

Democracy was enhanced. Today, however, the House is debating an attempt to make soft money legal again. H.R. 1606 would allow corporations, labor unions, and wealthy financiers to make unlimited soft money donations for campaign ads on the Internet coordinated by candidates.

Bloggers should be free to write whatever they want about candidates for office. But if this bill passes, the public will have no idea whether or not Internet campaign ads are being financed by secret soft money.

Why is this bill on the suspension calendar? Americans are frustrated by the majority's corrupt habits of ramming through legislation in the middle of the night without an opportunity to read or amend proposed legislation.

Today, the majority is pushing through a bill that would enable monied interests to regain undue influence on Federal elections. The bill should be considered through regular order with consideration of amendments.

Mr. Speaker, the better way is the bill that the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Massachusetts (Mr. MEEHAN) have proposed.

Mr. Speaker, that should be an amendment to this bill on the floor. It cannot be under this procedure. This bill should be defeated.

Mrs. MILLER of Michigan. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Speaker, I know the theme of the minority is the Republicans abuse power and they are corrupt; but I think this example is absolutely ludicrous, given that it was recommended by a prominent Democrat member of the House Administration Committee who happens to support the legislation.

And she prudently recommended it because at the time it seemed like it

was a relatively noncontroversial idea, supported by most of us. I would venture to guess that the outcome will be just as she assumed, that it will pass by the two-thirds vote required.

□ 1500

I just cannot sit here and listen to this recitation when it is so unfair, given the facts of this particular case.

Mr. Speaker, the Constitution is clear, "Congress shall make no law abridging the freedom of speech." Unfortunately, the U.S. Supreme Court ruled to the contrary that, in this instance, in political speech Congress may abridge the freedom of speech and it may do so under the guise of preventing corruption or the appearance thereof in campaign activities. I disagree with that decision, but the Supreme Court has spoken for now, so we must live with it.

I am grateful to my colleagues on the other side of the aisle who at least feel, as concerns the Internet, that there are compelling policy reasons why that should not be subject to this kind of regulation. Heaven help the average American if they fall under a regulation similar to what any candidate must now undergo for Federal office because that would basically mean that you would have to check with your accountant and check with your attorney before you engage in the Internet communication that might at all be perhaps close to whatever the line would be. In other words, it would have a chilling impact on people's exercise of what we believe should be their free speech rights.

This rise of the Internet is one of the greatest democratic, with a small d, trends the world has ever known. Anybody with access to a computer can communicate throughout the world his or her views. Why would we seek to regulate such an activity and to place this chilling impact out there?

I commend, by the way, the FEC. They correctly decided not to regulate the Internet. Unfortunately, the big government campaign reformers found that intolerable, filed suit in Federal court and were vindicated with the judge ruling that, indeed, the law required the FEC to regulate. In the absence of our passing this kind of legislation, the Internet will be regulated.

Mr. Speaker, we must put an end to this now before it spreads out of control. Please vote yes for the Hensarling bill. I am so grateful the gentleman introduced it, and I commend him for it. Please support freedom of speech. The Online Freedom of Speech Act is what this legislation is called.

Now is the time to draw a clean, clear, bright line and say if you are engaging in speech over the Internet you do not have to check with your lawyer or your accountant. You are a free American, and you have the opportunity to engage in free speech over the Internet. Vote yes.

Mr. MEEHAN. Mr. Speaker, I yield myself 10 seconds.

I can appreciate the gentleman from California's consistency. He was opposed to campaign finance reform. On the floor, he said he was opposed to any limit. He would just as soon have no limits at all on any campaign finance. He thinks corporations should give.

Mr. Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Speaker, I thank the gentleman from Massachusetts for yielding.

I rise in opposition to the bill. We passed a bipartisan campaign finance reform act 3 or 4 years ago to close huge loopholes in campaign spending, including the soft money loophole. Now the Internet is becoming an increasingly important medium for campaign spending and advocacy. According to some surveys, 37 percent of the adult population and 61 percent of Americans use the Internet to determine how they would vote in an election.

Now I do agree with my friends on the other side of the aisle that, had this bill gone through the regular order, we probably could have worked out some compromises that would have protected the rights of individuals and bloggers and so forth, but we do not have that ability at this point, so it is either an up or down vote on a complete exemption.

In the absence of this compromise, we have to depend on the FEC for regulation. Because if we do not and if this bill passes, we will in effect have an exemption to BCRA that will allow for unlimited advertising and advocacy over the Internet.

I do not believe that bloggers or individuals will ever be fined by the Federal Election Commission. I urge my colleagues to vote against this bill when it comes up later today.

Mrs. MILLER of Michigan. Mr. Speaker, I reserve the balance of my time.

Mr. MEEHAN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. HOLT), a strong supporter of campaign finance reform.

(Mr. HOLT asked and was given permission to revise and extend his remarks.)

Mr. HOLT. Mr. Speaker, I rise today to oppose H.R. 1606 and ask us to come back with a procedure that will permit the Shays-Meehan alternative.

This bill opens a huge loophole in the campaign finance laws. The gentleman from Massachusetts (Mr. MEEHAN) and others have been bulldogs in moving us toward a more perfect democratic union by keeping government of and by the people, not of and by some of the people and by special interests; and this act would not add protections of freedom of speech on the blogosphere as it is purported to do. Rather, it would bring large amounts of money back into deciding who can buy the largest microphone in a Federal campaign.

It will smother, not enhance, the voices of true grassroots movements.



This would compromise not only the blogs it purports to help, it runs a great risk of harming the political procedure. There are too many questions raised by this. The procedure circumvents open debate.

All of us believe that bloggers should not be subjected to censorship. I myself am an occasional guest blogger on political Web sites. Bloggers, like traditional journalists, should be able to communicate with their audience without any fear of violating FEC regulations. However, this legislation is not ready for prime time.

I urge my colleagues to oppose it and come back with a procedure that will permit the Shays-Meehan alternative.

Mrs. MILLER of Michigan. Mr. Speaker, I reserve the balance of my time.

Mr. MEEHAN. Mr. Speaker, I yield 1 minute to the gentleman from Delaware (Mr. CASTLE), who has been a courageous hero in the fight for campaign finance reform.

Mr. CASTLE. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise today in strong opposition to H.R. 1606, the Online Freedom of Information Act. This controversial bill purports to protect the freedom of speech of Internet bloggers but instead creates a major Internet loophole for soft money in our Federal campaign finance laws. These are exactly the soft money expenditures the Bipartisan Campaign Reform Act of 1992, BCRA, sought to prohibit.

Internet advertising should be no exception and ought to conform to the same rules as those governing other media. H.R. 1606 is the wrong way to address the issue of bloggers and will only lead to new corrupting soft money scandals and campaigns. The Internet has increasingly and rightly been used as a powerful political tool in recent elections, but it is negligent that we would permit it to be a safe haven from our campaign finance laws.

Under H.R. 1606, House members and other federal candidates would be permitted to control the spending of soft money—provided by corporations, labor unions and wealthy individuals—to buy Internet advertisements to support their campaigns. State political parties would also be allowed to spend soft money on Internet advertising to attack and promote federal candidates. And, these contributions would never be disclosed in campaign finance records.

If the Congress is really concerned with protecting Internet bloggers, I urge consideration of legislation introduced yesterday by my colleagues Representatives SHAYS and MEEHAN, which reaffirms that bloggers communicating on their websites are not covered by campaign finance laws without allowing Members of Congress and other federal candidates to use corrupting soft money to support their campaigns.

I urge my colleagues on both sides of the aisle to vote no on the Online Freedom of Speech Act.

Mrs. MILLER of Michigan. Mr. Speaker, I reserve the balance of my time.

Mr. MEEHAN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in this time when a cloud of scandal hangs over Washington, when the Chief of Staff to the Vice President of the United States has been indicted for perjury, making false statements, when a top White House official is led away in handcuffs, indicted on charges of making false statements related to an investigation of his dealing with lobbyists, at a time when a top Republican lobbyist and fundraiser has been indicted for fraud, when that investigation is the subject of a Department of Justice investigation, and today over in the other body there is a hearing going on looking into possible other misdealings, at a time when the American people have indicated that they are fed up with scandals, how can this House support a bill that would open up new avenues for corruption to enter the political process?

The courts have clearly argued that the reason why you can limit campaign contributions is because of corruption and the appearance of corruption. Why would we take a step backwards from campaign finance reform and open up a loophole so big that you could drive a truck through it?

Finally, I keep hearing Senator REID's name mentioned here. I want to assure you of something. If the Senate brings up this bill, they will get more than 20 minutes a side to discuss it. They will discuss it for as long as it needs to be discussed. That is what we should have done here.

Mr. Speaker, I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I spent 8 years of my life as the Michigan Secretary of State. That was a job where I had a principal responsibility as the chief elections officer of that State. During that time, we made constant attempts to increase voter participation and voter turn-out, particularly among young people. And I believe this bill does that.

Mr. Speaker, we must stand up for the right of freedom of speech and for the first amendment. I urge my colleagues to pass this bill.

Mr. SHAYS. Mr. Speaker, I urge my colleagues to oppose H.R. 1606, the so-called Online Freedom of Speech Act. The legislation will exempt the Internet from campaign finance laws, thus opening up a major loophole for unlimited union dues money, corporate treasury money and large individual donations to once again corrupt federal elections.

I understand that many web loggers are concerned that somehow campaign finance law will restrict their speech, and I believe allowing bloggers the assurance that they will not be so burdened is something that we can ensure. Unfortunately, H.R. 1606 goes far beyond exempting bloggers and allows federal candidates and political parties to again make use of soft money in federal campaigns.

That is why MARTY MEEHAN and I introduced legislation that would preserve the soft money ban and protect bloggers from unnecessary regulation. Because H.R. 1606 was consid-

ered under suspension of the rules, though, we were not allowed to offer this alternative approach. That is why we must defeat this bill.

If this law were to pass, a member of Congress could simply go to a large donor, corporation or union and control their spending of \$1 million in soft money to pay for political advertising all over the Internet.

This is precisely the type of behavior prevented when Congress passed the Bipartisan Campaign Reform Act in 2002. By all accounts, the law is working—despite concerns about the law being the death knell of the parties, the parties were strengthened as they raised more in hard money in 2004 than they raised in hard and soft money combined in 2002 and greatly expanded their donor base.

Once again, I urge my colleagues to oppose H.R. 1606 and oppose the return of corrupting soft money to our political process.

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today as a proud cosponsor of H.R. 1606, the Online Freedom of Speech Act, which is bipartisan and bicameral legislation offered by my colleagues, Mr. HENSARLING and Mr. WYNN, as well as the Minority Leader of the other body. That's across the aisle support we don't see often enough these days.

This bill is designed to protect the free speech rights of Americans whose only alleged crime is wanting to use the Internet to express their opinions. These individuals find themselves in jeopardy because an activist court decided to radically expand the meaning of a law beyond what Congress intended. The Court decided that the FEC, the agency in charge of regulating our election laws, was in error when it decided it did not have the authority to require the regulation of free speech on the Internet.

As a result of this ruling, all computer users and bloggers now stand to see their first amendment rights thrown out in the name of "freedom". The ruling effectively says that individuals have fewer free speech rights than giant media corporations that pay people to offer their opinions. Using this twisted logic, large newspapers and media companies oppose this bill because they fear the competition bloggers pose to them. I disagree with the mainstream media elites at the Washington Post and the New York Times who seem to think that an unregulated media is dangerous, unless it is them who are being regulated.

What is disturbing and dangerous to me, and to the constituents I represent in this House, is the ease with which so many advocate government regulation of speech.

Mr. Speaker, bloggers don't have to spend millions of dollars on printing presses, nor do they have to invest in TV or radio broadcast towers. They are able to share their opinions and ideas free of charge on the most powerful tool of free speech the world has ever known.

Bloggers are everyday citizens. They are our neighbors, friends, and coworkers who want to be able to share their ideas without asking permission from a gatekeeper in the mainstream media and certainly not from a government official. They are the historical descendants of Founding Fathers like Thomas Paine and other pamphleteers who contributed enormously to our democracy.

Mr. Speaker, I read a children's book called House Mouse Senate Mouse to school children across my district, to try to help them understand the government that we will one day to turn over to their care. It shocks me that

these schoolchildren have a better understanding of the meaning of the freedom of speech than some federal judges.

Mr. Speaker, we are trying to spread a message of hope, opportunity, and freedom around the world. I support this legislation so that we don't lose the ability to have that message shared among the American people.

Mr. CANNON. Mr. Speaker, today I rise in support of H.R. 1606, legislation that will exempt blogs, e-mail and other online speech from campaign finance laws.

When Congress passed campaign finance reform in 2002, the legislation did not identify political speech over the Internet as a target of the new regulations. The proponents of the law argued its intent was to restrict money not speech. But in April a federal judge sided with campaign finance reform zealots and ruled the FEC cannot completely exempt online speech from the requirements of the Campaign Finance Reform law.

I'm not here to revisit arguments for or against campaign finance reform.

I'm here today to call for Congress to recognize the Internet as a safe harbor for political speech.

Everyday thousands of bloggers register displeasure or support with Congress, the Supreme Court, the President, even their local elected officials.

But now, we are on the cusp of a new FEC regulation that could stifle free expression.

Without Congressional action today, arbitrary restrictions would be imposed on blogs and other web content deterring participation from the very segment of our population that we want to encourage to be politically active.

Thomas Jefferson was right when he said: "The basis of our government being the opinion of the people, the very first object should be to keep that right."

Mr. Speaker, this legislation will protect, in its infancy, what could be a powerful medium (or media) for the opinion of the people to be heard.

The way our Nation communicates today is almost unrecognizable for those of us that were in Washington, DC during the 1970s.

We have seen the innovation and democratization of the Internet in just the last decade. This legislation will promote democracy and shutter those who intend to manage through regulation this amazing engine of communication and knowledge.

The Internet, through such safe havens of individual expression and opinion like blogs, has put the power in the hands of the people, where it truly belongs, precisely where Thomas Jefferson wanted it.

I urge my colleagues to support this legislation and thank the gentleman from Texas (Mr. HENSARLING) for introducing this important bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PUTNAM). The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 1606.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. MEEHAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### DEPARTMENT OF VETERANS AFFAIRS INFORMATION TECHNOLOGY MANAGEMENT IMPROVEMENT ACT OF 2005

Mr. BUYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4061) to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, and for other purposes.

The Clerk read as follows:

H.R. 4061

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Veterans Affairs Information Technology Management Improvement Act of 2005".

#### SEC. 2. MANAGEMENT OF INFORMATION TECHNOLOGY IN DEPARTMENT OF VETERANS AFFAIRS.

(a) RESOURCES, BUDGET, AND PERSONNEL AUTHORITY OF CHIEF INFORMATION OFFICER.—Section 310 of title 38, United States Code, is amended by adding at the end the following new subsections:

"(c) To support the economical, efficient, and effective execution of the information technology objectives, policies, and plans of the Department in support of Department goals, the Secretary shall ensure that the Chief Information Officer has the authority and control necessary for the development, approval, implementation, integration, and oversight of policies, procedures, processes, activities, and systems of the Department relating to the management of information technology for the Department, including the management of all related mission applications, information resources, personnel, and infrastructure.

"(d)(1) The Secretary, acting through the Chief Information Officer, shall develop, implement, and maintain a process for the selection and oversight of information technology for the Department.

"(2) As components of the development of the process required by paragraph (1), the Secretary shall develop for the Department—

"(A) an information technology strategic plan that includes performance measurements; and

"(B) an integrated enterprise architecture.

"(3) The information technology strategic plan shall set forth a multiyear plan for the use of information technology and related resources to support the accomplishment of the Department's mission.

"(4) The Chief Information Officer shall review and update the information technology strategic plan and the integrated enterprise architecture on an ongoing basis to maintain the currency of the plan and the currency of the enterprise architecture with technological changes and changing mission needs of the Department.

"(e)(1) Funds may be obligated for information technology for the Department only in accordance with the process implemented

under paragraph (1) or as otherwise specifically authorized or delegated by the Chief Information Officer or as otherwise directed by the Secretary.

"(2)(A) Amounts appropriated for the Department for any fiscal year that are available for information technology shall be allocated within the Department, consistent with the provisions of appropriations Acts, in such manner as may be specified by, or approved by, the Chief Information Officer.

"(B) If for any fiscal year amounts referred to in subparagraph (A) that are available for the Veterans Health Administration (or are otherwise available for functions relating to medical care) are to be allocated under subparagraph (A) in a manner that is inconsistent with the allocation method known as the Veterans Equitable Resource Allocation, such allocation may be made only with the approval of the Secretary and after the Under Secretary for Health is notified.

"(3) When the budget for any fiscal year is submitted by the President to Congress under section 1105 of title 31, the Secretary shall submit to Congress a report that identifies amounts requested for information technology for the Department. The report shall set forth those amounts both for each Administration within the Department and for the Department in the aggregate and shall identify, for each such amount, how that amount is aligned with and supports the information technology strategic plan under subsection (d), as then in effect.

"(f)(1) The Chief Information Officer shall select the Chief Information Officer for each of the Veterans Health Administration, the Veterans Benefits Administration, and the National Cemetery Administration. Any such selection may only be made after consultation with the Under Secretary with responsibility for the Administration for which the selection is to be made.

"(2) Each Administration Chief Information Officer selected under paragraph (1)—

"(A) shall be designated as a Department Deputy Chief Information Officer; and

"(B) shall report to the Department Chief Information Officer.

"(3) The Department Deputy Chief Information Officers are responsible for implementing in their respective Administrations, as directed by the Department Chief Information Officer, the information technology strategic plan and the integrated enterprise architecture developed for the Department by the Department Chief Information Officer pursuant to subsection (d)(2).

"(4) To accomplish the policies, programmatic goals, information technology system acquisitions, and alignments prescribed, authorized, or directed by the Department Chief Information Officer, each Department Deputy Chief Information Officer shall maintain, for their respective Administrations, operational control of all information technology system assets and personnel necessary, including direct management of the Administration's software and applications development activities.

"(5) The Department Deputy Chief Information Officers—

"(A) shall be the principal advocate for the information technology needs of their respective Administrations; and

"(B) shall assure, by coordinating with the Department Chief Information Officer, that the business and mission needs of their respective Administrations are met by considering requirements at all levels.

"(g)(1) The Secretary shall ensure that the annual report submitted by the Secretary pursuant to section 11313 of title 40 includes an identification of any obligation approved by the Chief Information Officer under subsection (e)(1), including the date, amount, and purpose of such obligation.

“(2) The Secretary shall submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives an annual report, not later than March 1 of each year (beginning in 2009), providing the Secretary’s assessment of the implementation during the year covered by the report of the provisions of subsections (c), (d), and (e). Each such report shall include—

“(A) the assessment of the Secretary as to increased efficiency within the Department of information technology acquisition processes, management, responsibility, and accountability as a result of those provisions; and

“(B) estimated cost savings to the Department as a result of those provisions.

“(h) In this section, the term ‘information technology’ has the meaning given that term in paragraph (6) of section 11101 of title 40.”.

(b) REPORTS TO CONGRESS ON IMPLEMENTATION.—

(1) PERIODIC PROGRESS REPORTS.—

(A) REPORTS REQUIRED.—The Secretary of Veterans Affairs shall submit to Congress progress reports on the implementation of subsections (c), (d), and (e), of section 310 of title 38, United States Code, as added by subsection (a).

(B) TIME FOR PROGRESS REPORTS.—A report under subparagraph (A) shall be submitted as expeditiously as feasible after the end of the 60-day period, the 90-day period, and the 180-day period beginning on the date of the enactment of this Act.

(C) MATTER TO BE INCLUDED.—Each report under this paragraph shall set out the progress to date on the implementation of the provisions specified in subparagraph (A).

(2) INTERIM REPORTS.—After the completion of the first 12 months, and after the completion of the first 18 months, of the implementation of the provisions specified in paragraph (1)(A), the Secretary shall submit to Congress an interim report on the operation of those provisions to that date. Each such report shall include the following:

(A) The assessment of the Secretary as to increased efficiency within the Department of Veterans Affairs of information technology acquisition processes, management, responsibility, and accountability.

(B) Estimated cost savings to the Department as a result of those provisions.

(3) FINAL IMPLEMENTATION REPORT.—Not later than January 1, 2008, the Secretary shall submit to Congress a final report on the implementation of the provisions specified in paragraph (1)(A). The Secretary shall include in that report the matters specified in paragraph (2) and the Secretary’s recommendation for any modifications to information technology management within the Department of Veterans Affairs.

The SPEAKER pro tempore (Mr. BOOZMAN). Pursuant to the rule, the gentleman from Indiana (Mr. BUYER) and the gentleman from Texas (Mr. REYES) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the Committee on Veterans’ Affairs, I rise in strong support of H.R. 4061, the Department of Veterans Affairs Information Technology Management Improvement Act. I, along with the committee’s ranking member, LANE EVANS, along with other members of the committee, introduced this legislation on October 17 of 2005.

Over the last several years, the Veterans’ Affairs Committee has worked

extremely hard on this groundbreaking legislation. We believe its passage will greatly assist the VA to improve its efforts to achieve the one VA mission. The VA has long had a problem with stove-piped administrations that veterans must deal with as though they are separate parts of the government.

Since coming to Congress, I have witnessed the VA’s inability to adequately manage its IT funding and IT modernization efforts. In fact, the VA’s IT modernization efforts go back at least 20 years, to 1985 when it was the policy of the Veterans Administration to provide “better service to the veteran through modern technology.”

Unfortunately, the Department has annually requested and spent billions of dollars without accountability or measurable performance outcomes on IT modernization, and America’s veterans are still waiting for the “one VA.”

According to GAO, the VA spent approximately \$10 billion over the last decade alone for VA IT spending, and this is probably a very conservative figure. Historically, the VA has included funding for IT in its general administration accounts of each of the Veterans Health Administration, Veterans Benefits Administration, and National Cemetery Administration.

What that really means is that the VA has been spending billions of dollars on three separate IT infrastructures within the Department. For example, the Health Administration, the autonomy is downstream to the VISIONS and then on to the hospitals with their own operating systems.

To take a second example down further is what happened with Katrina when they took the medical records from New Orleans and they then transferred them within the same VISION, VISION 16, and downloaded the medical records at the Houston VA. They had to be reconfigured when they were brought to Houston. That is just within a same VISION.

To make matters worse, these three separate IT infrastructures within the VA cannot efficiently and effectively share important information. For our veterans this is a significant and unacceptable convenience.

Ultimately, centralizing the VA IT organizational structure will allow the VA to better serve our veterans. The VA absolutely needs to modernize its IT, both in hardware and software, and it should be the vehicle and tools of efficiency.

□ 1515

When there is truly One-VA with modern IT support, it will provide a seamless transition of our military being treated at the VA hospital as he or she move in and out of that system, whether it be back to active duty status or to veterans status. We will also improve timely medical appointments and reduce waiting time. It will foster better patient safety through updated and correct medical data. It will have

faster and more accurate claims processing and afford timely benefits delivery of all VA benefits, such as VA home loans and GI Bill education benefits.

Equally important, the cost of VA’s inability to manage its IT programs and initiatives has resulted in some significant IT failures: as much as \$600 million-plus for a decade of VETSNET, the automated compensation and pension claims processing system that still has not been implemented after 10 years of development efforts; \$342 million for CoreFLS, the failed financial management system; \$300 million for the HR Links, the failed automated personnel system; \$485 million annually to maintain VISTA, VA’s 25-year-old medical information system.

In 1996, Congress passed, and President Clinton signed, the National Defense Authorization Act for Fiscal Year 1996, legislation that created the position of chief information officer for Federal agencies. The provisions of the bill were later renamed the Clinger-Cohen Act.

In 2001, 5 years after this mandate, the Department of Veterans Affairs became the last Cabinet-level Department to comply with the requirements of the Clinger-Cohen Act and appoint a full-time chief information officer.

In 2003, then-Secretary Principi directed VA to centralize its IT processes to better align IT management. It did not happen.

In 2004, the VA hired Gartner Consulting, a Fortune 500 IT consultant, to analyze and review its IT infrastructure and processes. In testimony before the Veterans’ Affairs full committee in September 2005, Gartner testified that the VA’s IT budgets are very fluid, without much accountability on how and when funding is spent. Gartner analyzed several organizational models, including no change or the status quo to help VA resolve its IT issue.

Two of the models have the greatest potential application to the VA. One that the VA advocated is called a “federated model,” where centralized planning, technology operations, and budgeting/financial are controlled by a chief information officer with business applications developed and supported by application teams in each business line. But it still preserves the stovepipes.

Then you have what is called the “centralized model,” where all VA IT is organized into a single entity reporting to a chief information officer. Key functional entities reporting directly to the CIO include business applications, infrastructure and operations, customer relations, enterprise architecture, data and information management, security management, and IT finance.

According to VA’s own consultant, the centralized approach provides the greatest opportunity to successfully execute the One-VA mission objectives. It maximizes asset utilization and achieves economies of scale across all of VA by managing the infrastructure

through a central function; and through common organization, it will more rapidly mature the IT investment management processes across the VA's IT program portfolio. The bill in front of us is the centralized approach that has also been endorsed by Gartner Consulting to the VA.

Furthermore, Gartner testified that the centralized approach could save the VA \$345 million annually, or more than \$1.7 billion over 5 years.

Gartner also estimated that the cost to VA for reorganizing IT will be \$14 million. Even if the implementation cost is doubled and the estimated savings are too optimistic and halved, the return on investment will be approximately three to one, and this is from one of the leading IT consultants in the world, the very consultant on which the Fortune 500 companies rely.

Despite these findings and recommendations, the VA has now decided to adopt a federated approach and they really do not need Congress to act, that we are going to do this all on our own. Quite frankly, VA's plan looks like the Department wants to carry on, really, business as usual, but give it a title. On a bipartisan basis, we find this completely unacceptable.

So, Mr. Speaker, I am also putting the Department on notice.

My advice to the Under Secretary of the Veterans Health Administration, Dr. Perlin, is to cease and desist in his staunch efforts to push for this federated model.

My advice to the Under Secretary of the Veterans Benefits Administration, Admiral Cooper, is to stop his efforts to adopt a federated approach.

My advice to the newly designated Under Secretary of the National Cemetery Administration, William Turk, is not to proceed with the federated approach.

Earlier this year, the Veterans' Committee recommended that Congress withhold \$400 million for VA IT because the Department has poorly managed its major IT initiative. Furthermore, the Department has not held anyone accountable when multimillion dollar projects fail.

I would like to take this opportunity to thank my distinguished colleague and the chairman of the House Appropriations Subcommittee on Military Quality of Life and Veterans Affairs (Mr. WALSH) for adopting our recommendation and withholding \$383 million from the fiscal 2006 budget.

If the Department of Veterans Affairs continues down this path of disregard for this legislative body, we have no choice. We will continue to recommend withholding a portion of VA's IT budget until the CIO is allowed to instill a disciplined and accountability approach to the VA's IT budget and that it be done on a centralized approach.

Congress should not tolerate the continued mismanagement of the precious veterans resources on failed IT programs within the Department. Allow the CIO to do his job.

Ultimately, this bill will empower the CIO with the authority over IT's budgets, equipment, and personnel. This legislation is long overdue, and I urge my colleagues to support this important effort.

Mr. Speaker, I reserve the balance of my time.

Mr. REYES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I fully support H.R. 4061 and encourage my colleagues to approve this legislation. I also want to thank our chairman and the ranking member for their leadership and the hard work of the staff on both sides of the aisle.

This bill helps the Department of Veterans Affairs construct a balanced, responsive, and accountable system to manage information technology at the VA.

This legislation is necessary to overcome a mindset at the VA regarding the management of information technology that increasingly is defined by clouded management processes and a lack of accountability within the three principal administrations.

In just the last decade, VA has expended hundreds of millions of dollars to field information technology systems that were discontinued due to misalignment with VA's mission, mismanagement or serious cost overruns. Under H.R. 4061, this will change.

The Department will receive a centralized framework to manage IT assets throughout the Department in pursuit of its One-VA initiative. Information technology will be managed by a highly qualified VA-wide information technology team that will ultimately report to a chief information officer, or CIO.

The CIO will have control of the budget, assets, personnel, and systems necessary to achieve success department-wide, but there is an express understanding that information technology in VA is a support function. It is not a final goal. Measures of effectiveness across the administrations will be tracked and should demonstrate that VA has become a more effective organization.

Also under this bill, a deputy CIO will be assigned to each of the three administrations. In this capacity, they are the principal advocates for the business and mission needs of the respective administration at all levels of use, from senior managers to end-users throughout the field. This requirement will facilitate innovation and fine-tune the design of the IT infrastructure.

The deputy CIO will be responsible to the Department CIO for IT system alignment and related matters, but will otherwise be in control of day-to-day IT operations in their respective administration.

I would like to congratulate again the staffs from each side of the aisle for working out this improved IT management system for VA, and I am glad to be an original cosponsor of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. BUYER. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BROWN), chairman of the Veterans' Affairs Health Subcommittee.

Mr. BROWN of South Carolina. Mr. Speaker, I thank the gentleman for yielding and also for his leadership in bringing this bill forward and for his leadership as chairman of the Veterans' Committee.

Mr. Speaker, as a cosponsor of H.R. 4061, I rise in support of the Department of Veterans Affairs Information Technology Management Improvement Act of 2005.

This legislation calls for a strategic plan that includes performance measures and an integrated enterprise architecture, working to create greater accountability within VA.

Money spent by VA in its modernization efforts has been costly. For example, VA spends \$485 million annually to maintain VISTA, VA's 25-year-old medical information system. It does not seem economical to spend \$485 million each year on out-of-date computer application systems in the 21st century.

Passage of H.R. 4061 would build on the work of the committee over the past few Congresses in expecting accountability of VA's people and resources and for the IT programs of the Department.

Restructured IT management at VA will have an impact on VA's ability to provide services to veterans more quickly and effectively. Subsequently, it will help improve the health care of our Nation's veterans. As chairman of the Subcommittee on Health, it is my mission to ensure our veterans have the quality health care they have earned and deserve.

Mr. REYES. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS), our ranking Democratic member of the committee.

Mr. EVANS. Mr. Speaker, the need for this bill has been growing for more than a decade.

The Department of Veterans Affairs usually does a reasonable job managing programs of interest to veterans, but it does not do well in managing information technology programs.

Significant funding was invested in VA information technology programs that later failed due mostly to mismanagement. If VA had in place the sound management processes required by this bill, many of those information technology failures could have likely been avoided.

This would be better for the taxpayer, and it would be better for the mission of VA, and most importantly, it would give us an opportunity to thank our veterans who served more than they anticipated in the Armed Forces.

I want to thank Chairman BUYER for keeping our Nation's commitment focused on this initiative. The bill language contains the checks and balances needed to successfully manage information technology at the VA. It will

allow us in Congress to track how VA manages its information technology assets.

I cosponsored this legislation, and I encourage my colleagues to vote "yes" in support.

Mr. REYES. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I want to thank Chairman BUYER and Ranking Member EVANS for bringing this important bill to the attention of the House of Representatives.

This legislation will empower the chief information officer of the Department of Veterans Affairs to control and influence information technology in the Department.

I fully support H.R. 4061 and am very pleased to be an original cosponsor.

This bill helps the Department of Veterans Affairs construct a balanced, responsive, and accountable system to manage information technology at VA.

As we have all seen from the emergencies that have recently affected this country, it is important for all of the computers to be able to communicate with each other in every region. A veteran needs to know that he or she will be served when they enter any VA facility.

Under this bill, we are taking the first steps to make sure this happens.

I encourage my colleagues to approve this legislation.

Mr. BUYER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER), a member of the committee.

□ 1530

Mr. TURNER. Mr. Speaker, I am a cosponsor of H.R. 4061, the Department of Veterans Affairs Information Technology Management Improvement Act of 2005. This important legislation would provide the Chief Information Officer at the Department of Veterans Affairs with future authority over information technology budgets, equipment and personnel.

Importantly, this legislation will centralize information technology at the Department, increasing the ability of the Department to serve veterans by providing information more productively, and improve the delivery of health care to Veterans.

Under this legislation, claims for veterans will be processed more speedily, waiting times for medical care will be reduced, all veterans benefits will be delivered more quickly, and medical data for veterans will be improved through more rapid updating. In short, this legislation will not only improve information technology at the Department but will make a real difference in improving the delivery of health care and other benefits for our Nation's veterans.

This legislation will allow our veterans to save time in accessing the benefits to which they are entitled, improving their experiences at the VA

and improving their quality of life. Should this legislation become law, the Department of Veterans Affairs may improve information technology management at the Department and help better serve our veterans.

Mr. REYES. Mr. Speaker, I yield 2 minutes to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Mr. Speaker, I rise today to speak in support of H.R. 4061, the Department of Veterans Affairs Information Technology Management Improvement Act. This bill helps the VA construct a balanced, responsive and accountable system to manage information technology at the Department of Veterans Affairs.

The Department Chief Information Officer will be given the control and resources necessary to manage information technology department-wide. Measures of effectiveness across the administrations will be tracked and should demonstrate that VA has become a more effective organization. The CIO will have control of the budget, assets, personnel and systems necessary to achieve this success.

Also under the bill, as the gentleman from Texas (Mr. REYES) noted, a Deputy CIO will be assigned to each of the three administrations. In this capacity, they are the principal advocates for the business and mission needs of their respective administrations at all levels of use, from senior managers to end-users throughout the field. The Deputy CIO will be responsible to the Department CIO for IT system alignment and related matters but will otherwise be in control of day-to-day IT operations in their respective administration.

I, too, would like to congratulate Chairman BUYER, Ranking Member EVANS, their staffs and all Members who worked hard on working out this improved IT management system for the VA. I am glad to be a cosponsor of this bill which will help our veterans.

Mr. REYES. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BUYER. Mr. Speaker, I want to thank my good friend, the ranking member and Marine, LANE EVANS, for his work and cooperation on this bipartisan legislation. This is the way the committee is supposed to work.

We have invested almost 6 years of work on this to bring corrections to IT systems, and I am glad that we have been able to work together in a bipartisan fashion to deliver a product to this floor for which we can be proud of.

I would also like to commend the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from Ohio (Mr. STRICKLAND), the chairman and ranking members of the Subcommittee on Oversight and Investigations, for their hard work in providing the oversight required to define these problematic issues and helping to make needed legislative changes to address these shortcomings at the Department of Veterans Affairs.

I would also like to reiterate my thanks to the gentleman from New

York (Mr. WALSH) for his support in bringing accountability to VA's IT programs within the appropriations process.

I would also like to thank the gentleman from Texas (Mr. REYES), Army Vietnam vet, for his work on this and the original cosponsorship, along with the gentlewoman from Florida (Ms. BROWN) and the gentlewoman from South Dakota (Ms. HERSETH).

Finally, I would also like to thank Art Wu, Len Sistek, Kimo Hollingsworth, Ginny Richardson, and Risa Salsburg for their diligence and dedication in serving our Nation's veterans on the committee, and also the staff directors, Jim Lariviere and Jim Holley, both for the majority and the minority.

Mr. Speaker, I urge my colleagues to support the Department of Veterans Affairs Information Technology Management Improvement Act of 2005. This is a bill whereby when we come to this body we do not leave our experiences behind. We are to learn from the past and to plan for the future. We are to modernize Federal governments, to cut through the bureaucracy, and to create workable solutions that will become a standard that will be leveraged across all departments of the government, creating greater efficiencies, responsiveness to people, and saving money. That is exactly what this product has done, and it is being brought to the floor in a bipartisan fashion, and so I ask all my colleagues to support this.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Indiana (Mr. BUYER) that the House suspend the rules and pass the bill, H.R. 4061.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BUYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### GENERAL LEAVE

Mr. BUYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4061.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

JOHN H. BRADLEY DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

Mr. BUYER. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 1691) to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the "John H. Bradley Department of Veterans Affairs Outpatient Clinic".

The Clerk read as follows:

H.R. 1691

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC, APPLETON, WISCONSIN.**

The Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, shall after the date of the enactment of this Act be known and designated as the "John H. Bradley Department of Veterans Affairs Outpatient Clinic". Any reference to such medical center in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the John H. Bradley Department of Veterans Affairs Outpatient Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. BUYER) and the gentleman from Texas (Mr. REYES) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

John "Doc" Bradley was a Navy Corpsman during World War II and one of six men who took part in the famous flag raising on Iwo Jima. John Bradley survived the war; and he passed away on January 11, 1994. Before his death, his family was asked not to answer calls from the media; and his war history was boxed away to be forgotten. However, after his death, in 1994, his family found the box of letters and mementos from John Bradley's time serving his Nation during World War II. John Bradley once told his children that the real heroes on Iwo Jima were "the guys who didn't come back".

After he participated in the now-celebrated flag raising on Mt. Suribachi, John Bradley received the Navy Cross for rushing to a wounded man's aid in heavy Japanese fire. He received several shrapnel wounds to his legs a few days later and was evacuated from the combat zone to a hospital in Hawaii.

This legislation is cosponsored and supported by the entire Wisconsin delegation and also has the support of the State's major veterans service organizations.

Mr. Speaker, I particularly would like to thank my colleague (Mr. GREEN) who represents the Eighth Congressional District of Wisconsin for introducing this most appropriate legislation. He is a strong supporter of the men and women who serve in our Armed Forces and was chosen by the Speaker of the House delegation to lead a delegation to Afghanistan to report on the progress of the war there.

I also might note that he was instrumental in placing the new veterans outpatient clinic in Green Bay, Wisconsin. He is a strong supporter of the men and women we now call veterans.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding me this time and for his leadership in bringing this legislation forward.

Mr. Speaker, in all of America's rich history there are perhaps a few dozen images that seem to summarize and symbolize the American experience, our struggles, our challenges and, yes, our triumphs. One of those unforgettable photographs is of six U.S. servicemen raising the stars and stripes over Mount Suribachi on Iwo Jima.

As you know, that scene has been immortalized by Hollywood and in countless publications. It makes up the U.S. Marine Corps Memorial in Arlington National Cemetery.

One of the brave men in that breathtaking photograph is Pharmacist's Mate Second Class John H. Bradley. The purpose of this legislation is, as the chairman indicated, to rename the wonderful veterans outpatient clinic in Appleton, Wisconsin, for that man, John Bradley.

As I hope my remarks will make clear, there are many reasons why this title is appropriate, reasons that go well beyond a famous photograph.

John Bradley was born on July 10, 1923, in Antigo, Wisconsin, to parents James and Kathryn. He was the second of five children and spent his boyhood years growing up in Appleton, Wisconsin, in my congressional district.

In March of 1943, John enlisted in the U.S. Navy as a Seabee, but strong protest from his father led him to receive training as a Navy Corpsman instead. He was known as Doc Bradley and was assigned to a United States Marine Corps infantry battalion formed at Camp Pendleton. He was then shipped off to the island-hopping campaign in the Pacific Theater of World War II.

One of the most deadly, and most important, parts of that campaign came at Iwo Jima, where, over some 36 days, 70,000 American troops fought. That battle claimed over 25,000 U.S. casualties, including nearly 7,000 killed. The famous flag-raising moment may be how many people will remember Doc Bradley, but, of course, there is so much more to the story of Doc and his comrades.

After he raised the flag on Mount Suribachi, Doc Bradley rushed to the aid of a wounded Marine under heavy Japanese fire, and he did win the Navy Cross for this selfless and heroic act. Later, he received several shrapnel wounds to his leg and was evacuated to a hospital in Hawaii.

Upon completion of his service in World War II, John moved back to Wisconsin and settled in Antigo, where he and his wife Betty raised eight children. In the years after the war and until his death in 1994, he maintained a lifelong commitment to veterans and to veterans health care. Interestingly enough, Doc Bradley's family never knew he received the Navy Cross for service until after he died.

Of the six men in that famous photo, three were killed in the battle itself.

The survivors were proclaimed almost overnight heroes and symbols, something they were all uncomfortable with. Doc Bradley told his children, "the real heroes of Iwo Jima were the guys who didn't come back." He never displayed a copy of the famous flag-raising photo in his home.

Mr. Speaker, Doc Bradley would be a little embarrassed by having a clinic named after him. After all, he did not want glare and he did not want acclaim. However, his wife Betty has said that this is a fitting tribute to Jack because the clinic is involved in health care for veterans and because it is located in the community where he was raised.

Through his courage, his humility and his commitment to his comrades during and after the war, whether he wanted to acknowledge it or not, John "Doc" Bradley does symbolize the American serviceman and the American experience. I cannot think of a better name for the Appleton clinic than the John H. Bradley Department of Veterans Affairs Outpatient Clinic. Dedicated professionals work hard there, and they do great things for our veterans who deserve so much.

I am proud to honor one of Wisconsin's greatest veterans with this legislation, and I strongly encourage the support of my colleagues and again thank the chairman for bringing this legislation forward.

Mr. REYES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, John H. Bradley, a Pharmacist's Mate Second Class, who enlisted in the United States Navy in January, 1943, was one of the six men who raised an American flag at Mount Suribachi during the battle of Iwo Jima, an action that we all know now has been immortalized in the Pulitzer prize photo by Joe Rosenthal and the subject of the statue at the Marine Corps Memorial. He was a key part of an event that recorded the soul of a Nation in a time of great crisis.

Bradley was born in Antigo, Wisconsin, as we have heard, and his family moved to Appleton, Wisconsin, where he grew up as a boy. He was assigned to the 28th Marine Corps Regiment of the 5th Marine Division during the assault on Iwo Jima. Two days after landing with his regiment, he earned the Navy Cross.

The citation accompanying his Navy Cross cited extraordinary heroism in action against the enemy at Iwo Jima on February 21, 1945. It cited that during a furious assault by his company on the strongly defended enemy position at the base of Mount Suribachi, Bradley observed that a Marine infantryman had fallen wounded in an open area under a pounding mortar barrage interlaced with merciless crossfire from machine guns and small arms.

□ 1545

With complete disregard for his own safety, he ran through this intense fire to the side of the fallen Marine and determined that an immediate administration of plasma was necessary in



order to save that Marine's life. He heroically shielded the injured man with his own body and tied a plasma unit to a rifle that he had planted upright in the sand. After stabilizing the patient and his injuries, Bradley pulled the man some 30 yards through that intense fire to safety.

His heroism did not end on that day. A few weeks later, he was wounded in both legs in a mortar attack. He refused evacuation until he had finished rendering aid to two other wounded Marines. He was subsequently awarded a Purple Heart for this action.

Bradley was a star attraction during the Seventh War Bond Drive, where he spoke in over 33 cities. This war bond drive collected over \$24 billion, which is the largest borrowing from the American people in the history of our country.

Bradley was the last surviving member, as we have heard, of the six flag-raisers. He died in 1994 at the age of 70. His son, James Bradley, is the author of the book "Flags of Our Fathers: Heroes of Iwo Jima."

As has already been mentioned by Chairman BUYER, this bill has the support of the Wisconsin delegation. It has my full support. And today, where a couple of hours ago we celebrated the Marine Corps birthday, it is a fitting tribute.

I urge all my colleagues to vote for this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BUYER. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Texas for his support of this legislation and once again for his fine work on the Veterans' Committee.

This bill before us will name the VA outpatient clinic in Appleton, Wisconsin, as the "John H. Bradley Department of Veterans Affairs Outpatient Clinic."

In the State of Wisconsin, they have a council; and this council is made up of many veterans organizations. They met on October 21 of 2005 to discuss H.R. 1691. The council had a discussion, a motion was made and was seconded and carried a unanimous vote, no objections, to support the bill that is before us today.

The veterans organizations that were in support of this legislation in the State of Wisconsin and offer this under the American people are the American Legion, the VFW, the DAV, the Navy Club of the USA, the Army Navy Union, the Catholic War Veterans, Wisconsin Vietnam Veterans, American Ex-Prisoners of War, the Vietnam Veterans of America, the U.S. Submarine Veterans of World War II, the United Women Veterans, Polish Legion of American Veterans, Wisconsin Association of Concerned Veterans Organizations, the Military Order of the Purple Heart, Paralyzed Veterans of America, the County Veterans Service Officers Association, AMVETS, the Jewish War

Veterans, and the Vietnam Veterans Against the War. These are 24 of the veterans organizations that supported the gentleman from Wisconsin's legislation.

In closing, I believe we can tell a lot about a nation by the individuals whom we choose to honor, and this is a very appropriate means and manner to honor one of America's true heroes. With that, I ask that all Members support H.R. 1691.

Mr. RYAN of Wisconsin. Mr. Speaker, I rise today in support of H.R. 1691, legislation that would designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the John H. Bradley Department of Veterans Affairs Outpatient Clinic.

John "Doc" Bradley was a small town boy from Antigo, Wisconsin, who answered the call to duty to serve during World War II. As a Corpsman in the Navy, Doc Bradley participated in one of the defining events of our nation's history, the raising of the flag at Mount Suribachi on Iwo Jima Island. The importance of the capture of Mount Suribachi extends well beyond its symbolic meaning and the inspiration it provided to our nation's military. The victory at Iwo Jima also served an important strategic role by allowing the U.S. Army's B-29 bombers to make emergency landings on the island, and helped lead to our triumph in the battle for the Pacific.

Despite Doc Bradley's numerous accomplishments as a soldier during World War II, which include receiving the Navy Cross for heroism, this brave American remained humble throughout his life and did not brag about his many accomplishments. In fact, much of Doc Bradley's family did not know that he had received a Navy Cross, one of the Navy's highest honors, until after his death.

I am pleased that this great honor is being bestowed upon Doc Bradley today and would like to close with his account of his participation in the flag-raising, which exemplifies the grace and humility of this great American: "People refer to us as heroes—I personally don't look at it that way. I just think that I happened to be at a certain place at a certain time and anybody on that island could have been in there—and we certainly weren't heroes—and I speak for the rest of them as well. That's the way they thought of themselves also."

Mr. PETRI. Mr. Speaker, I am pleased to support H.R. 1691, a bill to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the "John H. Bradley Department of Veterans Affairs Outpatient Clinic." While Americans may not recognize Mr. Bradley's name, we have all been inspired by his image.

John "Doc" Bradley was born in Antigo, Wisconsin, on July 10, 1923. During World War II, he was assigned to the 28th Marines of the 5th Marine Division, where he took part in the Pacific campaign at Iwo Jima, Japan. In 1945 Pharmacist's Mate Second Class Bradley, along with five U.S. Marines, raised the American flag on Mount Suribachi displaying victory over the Japanese during the Battle of Iwo Jima.

This act became a lasting symbol of the great bravery and courage of our troops, and a never-ending display of the enduring American spirit. It is appropriately depicted in the U.S. Marine Corps Memorial near Arlington

National Cemetery. Mr. Bradley was awarded the Navy Cross, Purple Heart, Presidential Unit Citation with one star, American Campaign Medal, Asiatic-Pacific Campaign Medal with one star, and the World War II Victory Medal for "extraordinary heroism as a Hospital Corpsman in action against enemy Japanese forces on Iwo Jima."

Upon Mr. Bradley's return to Antigo after his service, he owned a small business and gave generously of his time to his community. He passed away on January 11, 1994, after 47 years of marriage which was blessed with eight children. He was the longest surviving member of the six who "raised the flag on Iwo Jima". He rests in the peace that he deserves as a national hero, in his hometown today.

It is truly appropriate to honor Mr. Bradley, who gave so much to his country, as our brave men and women of the armed services continue to do today. I urge my colleagues to support H.R. 1691.

Mr. BROWN of South Carolina. Mr. Speaker, I rise in support of H.R. 1691, a bill that would name the VA outpatient clinic in Appleton Wisconsin the "John H. Bradley Department of Veterans Affairs Outpatient Clinic".

John "Doc" Bradley died at the age of 70 on January 11, 1994. After his appearances at the last bond tour, John married his childhood sweetheart, Betty Van Gorp, and raised eight children with her.

John served as a Navy Corpsman during World War II and was the longest surviving member of the six who raised the second flag on Iwo Jima.

Two days after landing with his regiment in Iwo Jima on his first campaign, Second Class Bradley earned the Nation's second highest award, the Navy Cross, for "extraordinary heroism."

Bradley rushed to the aid of a wounded Marine under heavy Japanese fire, bandaged his wounds and then pulled the soldier 30 yards to safety.

A few days later, Bradley received several shrapnel wounds to his legs, and was evacuated to a hospital in Hawaii.

John's family had no knowledge of him receiving a Navy Cross until after his death. It is a most appropriate honor that we name the VA Community Based Outpatient Clinic located in the town where he grew up, after the quiet and unassuming Mr. John Bradley.

Mr. BUYER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Indiana (Mr. BUYER) that the House suspend the rules and pass the bill, H.R. 1691.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BUYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### GENERAL LEAVE

Mr. BUYER. Mr. Speaker, I ask unanimous consent that all Members



may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on H.R. 1691.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### ROSA PARKS FEDERAL BUILDING

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1285) to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building".

The Clerk read as follows:

S. 1285

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION OF ROSA PARKS FEDERAL BUILDING.

The Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, shall be known and designated as the "Rosa Parks Federal Building".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Rosa Parks Federal Building".

#### SEC. 3. DESIGNATION OF WILLIAM B. BRYANT ANNEX.

The annex, located on the 200 block of 3rd Street Northwest in the District of Columbia, to the E. Barrett Prettyman Federal Building and United States Courthouse located at Constitution Avenue Northwest in the District of Columbia shall be known and designated as the "William B. Bryant Annex".

#### SEC. 4. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the annex referred to in section 3 shall be deemed to be a reference to the "William B. Bryant Annex".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

#### GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1285.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, I yield myself such time as I may consume.

S. 1285 honors two Americans by designating buildings in their honor. This bill designates the Federal building located at 333 Mt. Elliott Street, Detroit, Michigan, as the "Rosa Parks Federal Building," and the annex of the E. Barrett Prettyman Federal Building and Courthouse located in the District of Columbia as the "William B. Bryant Annex."

Last week, the House passed H.R. 2967, which would have named the building in Detroit after Rosa Parks. We are back here today because the Senate amended their version of this bill to include the designation in honor of Judge William Bryant.

Rosa Parks has been eulogized and honored by many people who knew her better than I, but I would like to take this opportunity to express my condolences to those who knew her and praise her to those that will hopefully follow her example.

Rosa Parks is well known for a simple, yet historic, act of defiance. To paraphrase something the Mayor of Detroit said at a service in her honor, "She stood for what was right, by sitting down." This act inspired further acts of civil disobedience and earned her the title of the "mother of the civil rights movement."

Hers is an example that we should commend to our children and our grandchildren, an example of fortitude and resolution to do what is right, even when it meant great risk to her personal safety. She is truly deserving of this honor we are bestowing today.

We are also here to honor Judge William B. Bryant, a Federal judge in the U.S. District Court for the District of Columbia. Judge Bryant was the first African American to be named Chief Judge of the United States District Court for the District of Columbia.

Though born in Alabama, William Bryant moved with his family to Washington, D.C., at the age of 1 and made D.C. his home for the past 92 years. After serving in the United States Army and attending Howard University, he began his legal career working in private practice and as an Assistant U.S. Attorney for the District of Columbia. Judge Bryant was appointed to the United States District Court by President Lyndon Baines Johnson and was later named Chief Judge. His appointment to the bench was monumental during the civil rights movement, as African Americans struggled for rights as full and equal citizens of this Nation.

During the civil rights movement, Rosa Parks and Judge Bryant were viewed as heroic icons by African Americans. Today, they are recognized and remembered by people of all races for not only the effect they have on the civil rights movement but also for their subsequent accomplishments.

I believe this is a fitting honor to a woman whose actions helped transform and improve our society and to a distinguished jurist who has served our Nation for over 40 years.

I support this legislation, and I encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman for bringing forward this bill; and I rise in strong support of S. 1285, a bill to designate the Federal building located at 333 Mt.

Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building." This bill also contains a provision to name the annex to the E. Barrett Prettyman courthouse here in the District of Columbia in honor of Federal District Court Judge William B. Bryant.

Both are legendary African Americans, and the agreement that Federal buildings should be named in their honor is both wide and deep.

I thank my good friend and colleague from Michigan (Ms. KILPATRICK) for her diligent leadership on the Rosa Parks Federal building designation. I also want to thank my good friend of long-standing, the senior Senator from Virginia, Senator JOHN WARNER, for tirelessly working with me for more than 3 years to achieve this honor for Judge Bryant. I am deeply grateful as well to Senate Judiciary Committee ranking member PATRICK LEAHY, who also was particularly conscientious in pressing for this honor for Judge Bryant.

I spoke last Wednesday, Mr. Speaker, concerning the events that led Rosa Parks to challenge the daily humiliation of Montgomery, Alabama's black residents who were required to pay their bus fare to the driver, then get off and reenter through the rear door, and then relinquish their seats and move to the back of the bus upon the demand of any white passenger. Since then, Congress has broken with precedent and voted to allow Rosa Parks to lie in honor in the Capitol Rotunda, and she did so just a few days ago, the first woman and only the second African American who has been accorded this honor. In so doing, the United States of America recognized the unique and extraordinary contribution of Rosa Parks to her country. Her simple act of civil disobedience in refusing to relinquish her seat on demand from a white man on a segregated bus was the functional equivalent of a nonviolent shot heard around the world.

Fifty years later, time may blur the enormous personal risk Rosa Parks took on in America in 1955. During our country's tragic racial history, black men had been lynched for less. Grievances like those of African Americans after 400 years of slavery and humiliating discrimination had been resolved by violent revolution throughout human history.

Our country is enormously in Rosa Parks' debt because the revolution that led to the end of government and legally sanctioned discrimination began with a nonviolent revolutionary act, setting an example that endured. So brave was her act in the South in 1955 that even those of us who were young, in school, and had nothing to lose did not engage in the first sit-ins until 5 years later. The act of one woman finally led to the mass civil rights movement, the missing ingredient in the civil rights struggle. This movement was Rosa Parks' special gift to her people and to those who joined them, especially the residents of the

District of Columbia, who still feed from her inspiration to achieve equality with other Americans, including equal voting rights in the Congress of the United States.

In an era of peacock leaders who strut their stuff, her selfless example is an especially important guide. In great humility, Rosa Parks' gift was not the message that "I am doing this to free you." Her message was far more direct: "Free yourself." It is with gratitude that we bring this bill forward today in that spirit.

The honor for Judge William Bryant has an unusual origin indeed. The Chief Judge of the United States District Court for the District of Columbia, Judge Hogan, for himself and all the members of the trial court, visited my office to request that the annex under construction for the E. Barrett Prettyman Federal building be named for a senior U.S. judge, Judge William B. Bryant. Judge Bryant was unaware of the desires and actions of his colleagues, who unanimously agreed to request that the annex be named for the judge. It is rare that Congress names a courthouse or an annex for a judge who has served in that court and even more rare for a judge who is still sitting.

All who have been involved in this effort recognize and agree that giving an honor to a sitting judge has been granted in the past but only rarely and should be reserved only for the most extraordinary of judges. Judge William Bryant is such a judge.

□ 1600

I am particularly grateful to this House which early understood the unique importance of Judge Bryant's contributions and unhesitatingly passed this bill last session.

Judge Bryant's colleagues who know his work and his temperament best have found a particularly appropriate way for the court, the bar, our city, and our country to celebrate the life and accomplishments of a truly great judge. I know Judge Bryant personally. I know his reputation in this city and in the law, and I know that the request to name the annex for Judge Bryant reflects deep respect for his unusually distinguished life at the bar.

Judge Bryant began his career in private practice in the segregated Washington of the 1940s and 1950s when African American lawyers were barred from membership in the District of Columbia Bar Association and even from using the bar law library. He established his legal reputation as a partner of the legendary African American law firm, Houston, Bryant & Gardner, and taught at Howard University Law School. His reputation as an extraordinary trial lawyer led to his appointment as the first African American Assistant United States Attorney for the District of Columbia. He later rose to become the first African American to serve as chief judge of the United States District Court, whose members now ask that the annex be named for Judge Bryant.

For his representation of criminal defendants in private practice, Judge Bryant was admired as one of the city's best and most respected trial lawyers. Among his many notable cases is the landmark *Mallory v. United States*, a 1957 Supreme Court decision where the Court ruled that an arrested person must be promptly brought before a judicial officer.

Judge Bryant was born in Wetumpka, Alabama, but grew up in this city and graduated from D.C. public schools, Howard University, and Howard Law School where he was first in his class. After graduation, Judge Bryant served as chief research assistant to Dr. Ralph Bunche when Bunche worked with Gunnar Myrdal, the famous Swedish economist, in his studies of African American racial issues. Judge Bryant served in the United States Army during World War II and was honorably discharged as a lieutenant colonel in 1947.

The judge, who is 94, took senior status in 1982. Chief Judge Thomas Hogan wrote that Judge Bryant "lost his beloved wife, Astaire, and now lives alone with this court and the law as the center of his life."

This unusual request from all the judges of the court gives this designation great credibility. I am grateful to the judges of our U.S. District Court here for the thoughtful proposal that honors a Washingtonian and a lawyer of historic proportions. I very much appreciate the many efforts of my friends in the Senate, especially Senators Warner and Leahy, in helping me to get this bill through both Houses. I especially appreciate the leadership of this House who went to extraordinary lengths to make sure that this bill would be accomplished.

The residents of this city and the court that Judge Bryant has served so well, and members of the bar here, join me in gratitude for this tribute. We are all especially pleased to see two notable African Americans celebrated together in this House today in this special way.

Mr. PAUL. Mr. Speaker, I support S. 1285, a bill naming a federal building in Detroit, Michigan after Rosa Parks and I join my colleagues in paying tribute to Mrs. Parks's courage and high ideals. Rosa Parks's simple act of refusing to get up from her seat to comply with an unjust law inspired a movement that brought an end to state-mandated racial segregation. Mrs. Parks was inspired to challenge government power by her conviction that laws that treated African-Americans as second-class citizens violated the natural rights all humans receive from their creator—rights which no government can justly infringe.

Rosa Parks's use of peaceful means of civil disobedience to challenge unjust laws stands as a shining example of how peaceful means, such as civil disobedience and boycotts, can overcome seemingly insurmountable obstacles and advance the cause of liberty. The example of Rosa Parks shows how an individual with the courage and conviction to stand alone against injustice can make a difference by inspiring others to take a stand.

I hope all friends of freedom will draw inspiration from the example of Rosa Parks.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of S. 1285, a bill to designate a Federal building in Detroit, Michigan, as the "Rosa Parks Federal Building" and to designate the annex of the Prettyman Federal Building and U.S. Courthouse in Washington, D.C., as the "William B. Bryant Annex".

Rosa Parks is known as the "mother of the civil rights movement". With one single act of defiance—when she refused to give up her seat on the Cleveland Avenue bus in Montgomery, Alabama—she galvanized a Nation and changed the course of history. On December 1, 1955, Mrs. Parks was sitting in the middle row of the bus with three other black riders. The bus driver demanded that all four give up their seats so that a single white man could sit. Three of the riders complied. Mrs. Parks remained seated.

It is important to keep in mind that what is often remembered as a quiet act of civil disobedience took tremendous personal courage. Blacks at that time had been arrested, and even beaten or killed, for refusing to follow the orders of bus drivers. Rosa Parks was arrested, jailed, and fined \$14.

As Mrs. Parks herself has said in the years following that pivotal moment, she hadn't planned on taking a stand that day. She hadn't planned on becoming the face of the injustices of segregation. She had simply had enough. She was tired of being treated like a second-class citizen. She had had enough.

Mrs. Parks' act of courage sparked the civil rights movement. A boycott of the public buses was organized for Monday, December 5, the day of Mrs. Parks' trial. The Reverend Martin Luther King, Jr., then a young preacher who was only 26 years old, organized the boycott. The boycott lasted 381 days, ending only after the Supreme Court outlawed segregation on buses. It captured the attention of the Nation and forced people to confront the inequalities that were then commonplace. The civil rights movement ultimately led to the passage of the landmark Civil Rights Act of 1964, which banned racial discrimination in public accommodations, and the Voting Rights Act of 1965.

Rosa Parks is an American icon. By refusing to give up her seat on that Montgomery bus, she changed the course of history. This honor is long overdue.

Mr. Speaker, Rosa Parks was 92 when she died. Her funeral was today. I'm only sorry that we could not have passed this bill while Mrs. Parks was still alive. Although she suffered from dementia in her later years, I believe that she would have understood and appreciated such recognition from the United States Congress.

The strength and presence of a Federal building perfectly captures the character and personality of this icon of the civil rights movement. It is fitting and just that her life and public accomplishments are acknowledged with this designation.

Mr. Speaker, I also support the provision of this bill to designate the annex to the Prettyman Federal Building and U.S. Courthouse in Washington, D.C., as the "William B. Bryant Annex". I thank the Gentlewoman from the District of Columbia (Ms. NORTON), Ranking Democratic Member of the Subcommittee on Economic Development, Public Buildings, and Emergency Management, for her steadfastness and support for naming the annex for

Judge Bryant. In the last Congress, Ms. NORTON was instrumental in House consideration of H.R. 4294, a bill to name the annex for Judge Bryant. Unfortunately, the Senate did not consider the bill. In this Congress, Ms. NORTON introduced H.R. 1015 to continue her effort to honor this distinguished jurist.

Judge Bryant is 94 years old, and is legendary in District legal circles. He practiced law in the 1940's and 1950's when the city was segregated. He could not join the D.C. Bar Association or use its facilities. Yet, he has achieved great stature as a trial lawyer and enjoys an enviable reputation.

Judge Bryant is a lifelong D.C. resident who attended D.C. public schools and Howard University Law School, where he graduated first in his class. He began his legal career in private practice in the District with the legendary African American law firm of Houston, Bryant and Gardner. In 1965, he was nominated by President Johnson to the federal bench and confirmed by the Senate later that year. Judge Bryant is the first African American to hold the post of Chief Judge for the U.S. District Court for the District of Columbia.

During his long, productive legal career Judge Bryant also served as the first African American Assistant U.S. Attorney for the District of Columbia, and taught at Howard University Law School.

The judges of the U.S. District Court for the District of Columbia unanimously agreed to name the annex in honor of Judge Bryant and approached Congresswoman NORTON and Senator JOHN WARNER for their help. For the past several years, Ms. NORTON and Senator WARNER have worked to overcome Senate objections to naming the annex in honor of Judge Bryant because he continues to serve in active, senior status.

It is an extraordinary testament to Rosa Parks that, even in her death, her work is not done. The bill to honor her became the unstoppable legislative vehicle to ensure that Judge Bryant, this extraordinary African American jurist, be honored with this designation while he is still living.

I strongly support S. 1285 and urge my colleagues to join me in honoring these legendary American heroes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the proposed legislation "To designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the 'Rosa Parks Federal Building'."

More than 50 years ago, on December 1, 1955, Rosa Parks boarded her normal bus home and sat down in one of the "colored" aisles toward the back of the bus. Soon, the bus began to fill, and Rosa was ordered to vacate her seat to accommodate the white passengers. She simply but stubbornly refused.

This peaceful act of protest sparked a city-wide boycott of the bus system by the African American community. Men, women and children of Montgomery, Alabama refrained from riding the bus and instead either walked, rode their bikes or carpooled to work. In an impressive show of strength and courage, the boycott endured for over a year, and people across the nation joined with those in Montgomery. After 381 days, the City bus line finally relented and desegregated the buses.

Four days after the initial incident on the bus, a young man stood up in front of a large audience, having just been appointed as the head of the boycott: "There comes a time,"

the man said, "that people get tired. We are here this evening to say to those who have mistreated us for so long, that we are tired, tired of being segregated and humiliated, tired of being kicked about by the brutal feet of oppression." The name of that young man spurred to action by Rosa Parks was Dr. Martin Luther King, Jr.

Rosa was found guilty that very same day of breaking the city's segregation law. It was over 50 years ago that Rosa Parks chose to peacefully but willfully stand up—or rather sit down—against the abhorrent laws that segregated this country. Let us honor and celebrate what Rosa Louise Parks helped this country accomplish half a century ago by urging for this federal building be named in her honor. But let us also remember that her fight is not over. Let this building, the "Rosa Parks Federal Building," stand as a pillar of remembrance for this and future generations. Let this building always remind us of the battle she fought for freedom and equality, and the battles still being fought here and across the world today.

I support the proposed resolution for the foregoing reasons, and I urge my colleagues to follow suit.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

Mr. DENT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and pass the Senate bill, S. 1285.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the motion to instruct on H.R. 2862.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### MOTION TO GO TO CONFERENCE ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. WOLF. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. WOLF).

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MS.

SCHWARTZ OF PENNSYLVANIA

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Ms. SCHWARTZ of Pennsylvania moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 2862, be instructed to insist on the House level for the Small Business Administration's Business Loan Program Account and recede to the Senate on Section 525 of the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Pennsylvania (Ms. SCHWARTZ) and the gentleman from Virginia (Mr. WOLF) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Mr. Speaker, I yield myself such time as I may consume.

The motion the gentleman from New York and I are offering has two parts. First, it calls for maintaining the Senate-passed provision requiring the Federal Trade Commission to investigate gasoline prices and determine if price gouging is occurring; and, secondly, it supports allocating \$79 million for the Small Business Administration 7(a) loan program, the same level of funding provided last year and the same level supported by 234 Members of the House this year.

First, Mr. Speaker, with regard to gasoline prices. Last week, oil companies announced record high third quarter profits. Exxon-Mobil corporation posted more than \$9 billion in profits, the largest amount ever by a U.S. company. Royal Dutch Shell Group generated \$9 billion, an increase of 68 percent over last year. ConocoPhillips made \$3.8 billion, an increase of 89 percent over last year. British Petroleum brought in \$6.53 billion, up from almost \$5 billion last year.

All told, these profit levels have put the world's five largest publicly traded oil companies on track to earn more than \$100 billion before year's end. Yet, at the same time that Big Oil's bottom line is going up, so are Americans' energy costs. This year, the average American family will pay \$4,500 to meet their energy needs, up nearly 19 percent from last year. These increases in cost are reflected in 30 to 70 cents per gallon cost of gasoline. These increases mean that everyday Americans are likely to pay double-digit increases in home heating oil and costs this winter. From my own constituents in northeast Philadelphia and Montgomery County, these increases are seriously affecting their budgets and forcing them to stretch their hard-earned dollars even further than they have before.

Mr. Speaker, Americans believe that private enterprises, American businesses, have the right to earn profits on the products that they sell; but Americans also want to know whether oil companies during a time of national emergency and national sacrifice are making egregious profits at their expense. They want to know why they are paying record high gas prices at the same time that oil refiners' profits are going up more than triple over last year, and they want to know why the cost of gasoline is rising faster than the actual price of crude oil, and they want to know why Congress has failed to examine these questions or to act on their behalf.

The gentleman from New York and I believe that we ought to provide our constituents with the answers to their questions and to take action, and that is what our motion is about. It would ensure that the Federal Trade Commission investigates the profits of all energy companies at every level of the process, the refiners, the producers, the distributors, and the direct sales companies; and it would result in recommendations to Congress on actions needed to protect consumers from price gouging.

My colleagues, hardworking Americans are looking to Congress to take immediate action and meaningful steps to combat price gouging. The FTC study will examine the costs of the dramatic increases in energy costs and will provide us with a road map on how best to address this problem now and over the long term. My colleagues, a vote for the Schwartz-Bishop motion is also a vote to make sure that our Nation's small businesses succeed. Small businesses are vital contributors to our economy. They are the economic engine that is creating jobs, exploring innovation, and expanding opportunities for Americans in every community across the Nation. The Small Business Loan program is a proven job creator, and should be continued.

Mr. Speaker, the Federal Government has an obligation to ensure our national security, promote opportunity, and build economic prosperity. The Schwartz-Bishop motion would do that by helping to protect American consumers and cultivating small businesses. With this in mind, I urge my colleagues to support the Schwartz-Bishop motion.

Mr. Speaker, I reserve the balance of my time.

Mr. WOLF. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support a study on gas price gouging and want to thank my colleagues on the other side of the aisle for offering this motion to instruct. I am very concerned, as I know every Member is over here, with regard to high gas prices and their impact on the country; and I believe that the Congress needs to address this issue. So I thank the gentlewoman from Montgomery County, actually I used to live in Montgomery County, Ardmore. Do you know where Ardmore is?

Ms. SCHWARTZ of Pennsylvania. A very nice place to live.

Mr. WOLF. My father was a Philadelphia policeman, and so I know your area very, very well; and I am glad you offered this.

However, on the other segment of it, and I am going to urge Members to just support this, on the 7(a) subsidy, I really do not think that is a very good idea. The program is running strong. We do not need to provide the subsidy and take critically needed funds that could be used to combat terrorism, espionage, drugs, gangs, secure our State Department embassies, consulates overseas, providing funding to invest in NASA and sciences. Members from your side who have asked and been approaching us, if we were to do this, we would take away from almost every one of these programs and many of the programs your Members have come and we have in a good spirit of bipartisan tried to work to help them.

The 7(a) program has been operating at record levels without a subsidy appropriation since the beginning of fiscal year 2005. The SBA administrator continues to assure us that the program is running strong. I have a letter from him confirming the success of redesigning the 7(a) program so that it does not require a subsidy appropriation. Media reports all over the country have touted the recent success of the 7(a) lending program. Headlines from the Chicago Tribune and the Cincinnati Business Carrier state: the SBA program looks sound and stable. Funding turns banks on to SBA lending.

The SBA guaranteed 88,912 loans in fiscal year 2005, an increase of 22 percent increase over the previous year. In fact, lending at every segment of the population, including women and minorities, is up from last year's levels. Lending to minorities is up 23 percent, lending to women is up 42 percent, lending in rural areas is up 10 percent.

In summary, Mr. Speaker, it is not necessary to provide a subsidy appropriation for the 7(a) loans program. With everyone expressing their interest in the deficit, and while I want to commend the gentlewoman for the first part of this motion to instruct with regard to the gasoline price, on the other one, and I know this is not the intention of the author of it, this is a subsidy for banks. Here we are in one half of the amendment we want to do what is good by looking at the oil companies. Now, on the other half of the amendment, we want to give the banking lobby a victory. Why would we want to give the banking lobby, and I have seen some of the memos that have gone back and forth with regard to the banking lobby, why would we want to give the banking lobby, who have record profits at this time, a subsidy of 79 some million dollars?

□ 1615

I just do not understand it. Lending to minorities is up by 23 percent, lending to women is up by 42 percent, and

lending to rural areas is up by 10 percent. People are talking about the deficit, and we are talking about going after it to make sure the gouging stops, and now we are going to help the bankers to do this.

I wish we could have split these off. I would have been excited about your first one, would have spoken for it, would have put my name down for it if you would have had me as a cosponsor, but on subsidies to bankers, I just do not understand it in these days of high deficits. Just look at the profits. Why would we give the banks this subsidy?

So, with that, I urge my colleagues, particularly because of the gentlewoman's first part of the amendment, to support the motion; and I will vote for it. But I just wanted the Record to show that, on the second part, wow, not a good idea.

Mr. Speaker, I reserve the balance of my time.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I thank my colleague, the gentlewoman from Pennsylvania, for yielding and for her leadership on this motion to instruct the conferees. I will confine my remarks to the price-gouging component of the motion to instruct.

After two bites of the apple, this Congress is running out of opportunities to prove to the American people that we will stand in their corner as the oil and gas companies continue a campaign of price-gouging in the wake of human suffering.

Twice in this session, we have given away tax breaks to the oil and gas companies amounting to \$14.5 billion and \$2 billion, respectively. The most recent was passed just in time for Halloween, a treat for BP, Exxon-Mobil, and Conoco, but a bad trick on the American families.

Exxon-Mobil reaped profits of almost \$10 billion this quarter alone. We have heard the gentlewoman from Pennsylvania talk about these numbers, but they are so astounding that they bear repeating. This is a record-breaking amount for an American company and represents a 75 percent increase over the same period last year.

Shell rang up profits that represented a 68 percent increase, just over \$9 billion.

I would be remiss in failing to congratulate the shareholders of ConocoPhillips, whose dividends will soar after an almost 90 percent increase from last year's quarterly earnings.

Now there is nothing wrong with healthy profits. In fact, they are what this Nation and the world's greatest economy are built on. But when profits come at the expense of American families, and when profiteering is clearly reflected by a company's bottom line, then there is something very wrong, and that is when it is time for us to do our job to protect consumers.

These profits were being earned just as the major oil companies claimed

they needed more incentives to expand refining capacity after Hurricane Katrina. Almost immediately, this House responded by passing the so-called Gasoline for America's Security Act, which rolled back environmental laws and opened Federal lands and coastal waters to drilling and exploration.

While the public was pleading for relief from profiteering corporations, the majority actually reduced penalties for price-gouging. Let me say that again. This House voted to weaken price-gouging laws at a time when the public was paying almost an average of \$3 a gallon.

Clearly, our failure to do the right thing then contributed to the spike in gas prices and the exorbitant increases in the oil companies' bottom lines. That is why my colleagues, Mr. STUPAK, Mr. DINGELL, Ms. SCHWARTZ, and I offered a substitute to create a strategic refinery reserve expanding refining capacity and, perhaps most importantly, increasing price-gouging penalties.

As winter approaches, families will struggle to put food on the table and heat their homes. Still, we keep hearing the same rhetoric from the other side that free enterprise is the answer to every one of our Nation's problems, and it is the great equalizer that should be applied to every challenge. But Hurricane Katrina exposed vulnerabilities that still exist in the energy market, a problem that is compounded by the administration's energy policy.

Consequently, it makes little, if any, sense that we gave away one of the most generous corporate welfare packages bestowed on any industry in the form of the last two energy bills. This is precisely why we must vote to instruct the Science-State-Justice-Commerce conferees to adopt the Senate position directing the FTC to investigate price-gouging and other forms of market manipulation.

Before we vote next week to slash the budget for food stamps or Medicaid or student aid, let us make sure we at least give American families a break at the pump by voting for this motion to instruct. Now is the time we must act, to prove the interests of middle-class Americans are paramount, not the oil companies. Let us put an end to price-gouging once and for all. Let us not let another opportunity go by without giving middle-class families the relief they so desperately need and deserve.

Mr. Speaker, on price-gouging, the House is down by two strikes. This motion makes sure we do not strike out. If we want to do the right thing for America and the American taxpayers here and now, vote for this motion to instruct.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I yield 5 minutes to my colleague from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. Mr. Speaker, today's motion to instruct conferees is

about keeping costs down for the American people. Whether it be protecting prices at the gas pump against price-gouging or ensuring entrepreneurs have access to affordable loans, the bottom line is that we must work to relieve our citizens of rising costs.

For aspiring entrepreneurs and small business owners, access to capital is access to opportunity. Unfortunately, right now, businesses all over the country are seeing their capital options dwindle. At the same time, the typical small business owner is paying thousands more than they did last year to receive a loan.

The simple economics of this are that if a small business has to give the government more of their money, not to the banks, like the chairman inferred, but to the Federal Government, then they have less to invest into their business and less to create jobs. This is a loss our country simply cannot afford today.

By not funding the largest long-term lending initiative for small businesses, the 7(a) loan program, this is exactly what is happening. In a little more than a year, costs for lenders and borrowers have increased by 110 percent. These new program costs have already resulted in the termination of important programs that direct capital to rural areas and minority businesses. The situation will only worsen if Congress fails to provide funding.

This winter, it is projected that there will be yet another round of fee increases. In addition, the program will feel even greater cost pressures as the impact of Hurricane Katrina starts to bear down. In the gulf region today, there are over \$2 billion in SBA loans. Even OMB acknowledges that significant loan defaults will occur as a result of this year's hurricanes. In fact, some estimates place this amount as high as \$500 billion. The program costs that will result will not only affect those firms in the gulf region but will impact businesses in every district across the country as the cost to cover these loans rises.

Without an appropriation, the only way to cover this additional cost will be through more fee increases. Unfortunately, in a little over a year, we have run out of room to increase fees. The results will be program caps, limits on program size, and even the possibility of a shutdown next year. This is something our Nation's small business owners should not have to endure.

Clearly, spending decisions are difficult. However, on this, we should not be penny wise and dollar foolish, and that is exactly what this body will be doing by eliminating the funding for a program that makes up less than two-tenths of a percent of the entire bill but provides 30 percent of all long-term lending for small businesses and is a proven job creator.

I just would like to say to the chairman, how could we say that the program is doing better? The program is

not doing better. Small businesses now pay double what they paid last year to get a loan. Of course, the Small Business Administration is going to say that they are doing more loans, but they are not telling us that those loan sizes are much, much smaller. Loans are much smaller, even though the cost of operating a business are much higher, and fewer and fewer lenders are participating in the program.

This is not a program that is doing better. The African-American business owner gets half the loan size than in mainstream business. Is that minority businessperson doing better when they are getting half the loan size that a mainstream business gets? I do not think so.

I would urge my colleagues to vote "yes" on the Schwartz-Bishop motion to instruct conferees.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, small businesses, large corporations, schools, families, everyone is worried about how they are going to cover their energy costs this year. Recent efforts to address this issue have failed. We cannot allow another opportunity to bring relief to consumers to go by. We owe Americans an examination of current gasoline prices and ways to bring down these costs, and we owe small businesses our commitment to help them grow and succeed.

Mr. Speaker, my motion is simple. It is about ensuring our Nation's economic well-being, it is about protecting the financial security of hard-working Americans, and it is about promoting the continued success of America's small business.

I appreciate the chairman's support on this motion to instruct, and I urge all of my colleagues to vote "yes" on the Schwartz-Bishop motion to instruct.

Mr. Speaker, I yield back the balance of my time.

Mr. WOLF. Mr. Speaker, I am not going to take a lot of time, but I think it is important for the Record to demonstrate I think Members should vote "aye" on this instruction.

There were \$2 billion more in loans, though, this year than last year. The Record has to demonstrate this. It was \$12 billion, then to \$14 billion. It went from \$12 billion to \$14 billion. When we say it is not for the banks, and I am not saying that is your intention, let me just stipulate, I do not believe it is your intention. But let me just read you what it is saying here.

This is an article from the Chicago Tribune. "Clearly there were Members of Congress that felt this program was worthy of receiving an appropriation," said James Ballentine, Director of Community and Economic Development of the American Bankers Association.

It was the bankers. You did not get any letter from small businesses asking for this. It is the bankers. It is the

bankers. And the inconsistency of dealing with the one thing which I honor you and say great, but this was the bankers. The loans are up. So I think truth has to demonstrate that the loans are really up. It is \$2 billion more.

We are always talking about lowering the deficit and reducing spending. Last year, the Congress reconfigured and the chairman of the committee, Mr. MANZULLO, supported this. So why would we want to turn our backs on successful reform? We have a stable program.

I would like to submit, if I may, for the RECORD, the articles from the Business Courier and also the Chicago Tribune saying that the Small Business Administration's Federal funding is on more stable footing this year than it was last year. "That gives lenders more confidence in making SBA loans," said Michael Shepherd, Fifth Third Bancorp's SBA national manager. So they are up, and it has worked.

Members on both sides want to deal with the deficit. I think the gentleman from Montgomery County has a good thing.

With regard to the oil prices on the 7(a) and what we have been doing about that, I would just say, working with the minority on your side on the money that we have saved from this, we have helped you on other things. And there is, as my mother used to say, there is not a money tree; it just reaches a certain point. So with the money that we have saved from this with additional loans, \$2 billion, not just \$1 million, \$2 billion more, we have actually helped programs that you all are interested in.

We have increased the National Science Foundation. Do you want to take away from the National Science Foundation? Hello. Go back to Montgomery County and tell them you are cutting funding for sciences, for math, for chemistry, for biology. Tell them that. They would not want to cut that out. That is what we did with this.

We put it in NSF loans. We put it in NASA with regard to education. We put it into the Jason program that Dr. Bell, who discovered the Titanic, is able to teach young kids math and science and physics and chemistry by learning that.

□ 1630

That is what we did. If we were to take this \$79 million and give it back to the bankers, the big bankers, we would be taking money from education. You could not explain that. I do not care what district it is, you cannot explain why you were taking money from the NSF. You cannot explain why you were taking money from embassy security.

Thirty people from my district died in the attack on the Pentagon. You cannot explain, whether it be New York City where two of my children live, or Philadelphia where I am from,

and my district, why you are taking money from the FBI to give money to bankers so we do not have money for the FBI to do what they are doing.

So I was going to ask, can we split these things out and give you an opportunity to offer both? I understand that we cannot. I do not think you want it down on the record that you supported taking \$79 million out of the National Science Foundation or out of the FBI or out of embassy security so we can give money to the banking lobby. That is just not a good vote.

Ms. VELÁZQUEZ. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from New York.

Ms. VELÁZQUEZ. Mr. Speaker, I thank the gentleman for yielding.

Let me just say for the record that I am here not to do the job for banks. I am here to fight to protect small businesses, small businesses that create 99 percent of the jobs in this country.

And let me say, Mr. Speaker, that I will include in the RECORD the letter sent to the gentleman from Virginia (Mr. WOLF) and to the ranking member of the committee, the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. Speaker, that contains 25 groups. They are not banks. They are the National Small Business Association, the National Black Chamber of Commerce, the National Association of Convenience Stores, the National Association for the Self-employed, American Society of Travel Agents, and the list goes on and on. These are 25 national groups in support of restoring the funding for the 7(a).

And let me just also say to you, sir, that the SBA is going to claim that they are doing record levels, of course, because the numbers that they are using, they are comparing their numbers when the program was shut down by SBA. But comparing the last two quarters, SBA lending is actually declining by nearly \$50 million in the last quarter alone.

And when comparing the fourth quarter 2005 to the fourth quarter 2004, SBA has done \$150 million less in lending to small businesses. SBA claimed that they would do \$16 billion, but they were \$2 billion below for fiscal year 2005.

OCTOBER 27, 2005.

Hon. FRANK WOLF,  
*Chairman, Appropriations Subcommittee on Science, State, Justice and Commerce, The Capitol, Washington, DC.*

Hon. ALAN MOLLOHAN,  
*Ranking Member, Appropriations Subcommittee on Science, State, Justice and Commerce, Longworth House Office Building, Washington, DC.*

Hon. RICHARD SHELBY,  
*Chairman, Appropriations Subcommittee on Commerce, Justice, and Science, The Capitol, Washington, DC.*

Hon. BARBARA MIKULSKI,  
*Ranking Member Appropriations Subcommittee on Commerce, Justice, and Science, Dirksen Senate Office Building, Washington, DC.*

DEAR CHAIRMEN WOLF AND SHELBY AND RANKING MEMBERS MOLLOHAN AND MIKULSKI: As the House and Senate prepare to go to

conference on the Science, State, Justice and Commerce (SSJC) and Commerce, Justice, and Science (CJS) appropriations bills, we wanted to bring to your attention an issue that is of critical importance to small businesses and small business lenders, and to request your assistance in ensuring that this Nation's entrepreneurs have access to affordable capital through an adequately funded small business lending program. The Small Business Administration 7(a) program supports nearly one-third of all long-term capital financing for our Nation's small businesses. Notably, both the House and Senate have included funds in their FY 2006 appropriations bills for the 7(a) program. As the House and Senate are preparing to go to conference on SSJC-CJS, we are writing to express our strong support for the modest funding of this vital program.

The fees associated with the 7(a) program are becoming prohibitively expensive for both small business borrowers and lenders. For FY 2005, the full cost of the program was shifted to small businesses and their lenders through a series of fee increases. As a result, small businesses are being forced to pay substantial upfront fees to use the program—more than \$2,000 for a small loan and nearly \$16,000 for a mid-size loan. For smaller loans of less than \$150,000, fees are doubled, which translates into nearly \$1,500 more in upfront closing costs for entrepreneurs. For a loan of \$700,000, this increase would raise the fees by approximately \$3,000 and for larger loans this fee can approach \$50,000.

These fee increases are making it more expensive for lenders to lend and businesses to borrow. As a result, many small businesses—particularly those in the areas affected by Hurricane Katrina—may be unable to access the capital they need to hire new employees or expand their operations. Most recently, actions have been taken that have made the program more costly and less accessible to small businesses. On October 1st, a third fee increase was levied on the program's participants—making 7(a) loans more costly than ever. And, in an attempt to cut the program's costs, the SBA eliminated the popular 7(a) LowDoc program, which has been a key initiative used by community banks and rural small businesses.

We are also concerned about the impact of Gulf Coast hurricanes on the program, as SBA's loan portfolio contains more than \$2 billion in loans to businesses in hurricane-affected areas. There is the potential that a sizeable portion of these loans will default, leading to increased program costs. Without a 7(a) appropriation, the only possibility to cover these increased program costs will be to raise fees on small businesses and lenders, place a cap on the program or on loan size, or, in the worst case scenario, shut down the program altogether. These undesirable measures would be extremely counterproductive at a time when adequate small business lending will be more important than ever in recovery and rebuilding post-Katrina.

We urge you to support our Nation's small businesses. Securing funding for this important program is a top priority for the broad small business and lending community and we are pleased that both the House and Senate appropriations bills contain needed funding for the 7(a) program. We urge the SSJC-CJS conferees to work to ensure that the 7(a) program is provided with an appropriation of \$79.132 million for FY 2006 and that such funding be used to reduce the fees for business borrowers and their lenders.

We recognize your commitment to our Nation's small businesses and truly appreciate your efforts in supporting the SBA's 7(a) loan program. In order to ensure the vibrancy of our local communities, we want to stress our strong support for funding for the



7(a) program. We are eager to work with you to accomplish this goal. By giving entrepreneurs access to affordable capital, we can ensure that they can continue to serve as the catalyst for our Nation's economy.

Sincerely,

National Small Business Association.  
National Black Chamber of Commerce.  
National Association of Convenience Stores.  
National Association for the Self-Employed.  
Associated Equipment Distributors.  
Aeronautical Repair Station Association.  
American Society of Travel Agents.  
Independent Office Products & Furniture Dealers Association.  
Silver Users Association.  
Small Business Majority.  
National Procurement Council.  
United Motorcoach Association.  
Office Furniture Dealers Alliance.  
U.S. Women's Chamber of Commerce.  
American Bus Association.  
National Ready Mixed Concrete Association.  
National Propane Gas Association.  
Women Impacting Public Policy.  
American Subcontractors Association.  
American Dental Association.  
National Office Products Alliance.  
American Hotel and Lodging Association.

Mr. WOLF. Mr. Speaker, reclaiming my time, the record just has to show, again, SBA guaranteed 88,912 loans in fiscal year 2005, an increase of 22 percent over the previous year.

Mr. Speaker, let me stipulate that I know the gentlewoman is a strong supporter of small business. But where will you take the money from? Will you take it from NSF, education, National Science Foundation, will you take it from math, will you take it from science, or would you just take it from the air?

We just cannot take things from the air, and the end result is we will cut embassy security.

Ms. VELÁZQUEZ. Mr. Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Speaker, if the gentleman from Virginia (Mr. WOLF) will invite me to be a conferee, I will work with you.

Mr. WOLF. Mr. Speaker, reclaiming my time, I work with your ranking member. We are good friends. Ask the gentleman from West Virginia (Mr. MOLLOHAN) if we have been fair. The next time you see him, ask him.

The next time you see him, ask him; and ask him if the two ought to meet. We would not be able to deal with this issue. We would have to cut FBI, embassy security, NSF, NASA, NIST, NOAA. That is where we would get it from, and we would get it to give it to the bankers.

[From the Business Courier, May 27, 2005]

STABLE FUNDING TURNS BANKS ON TO SBA LENDING

(By Steve Watkins)

The news is getting better for small businesses looking for financing.

The Small Business Administration's federal funding is on more stable footing this year than it was last year. That gives lenders more confidence in making SBA loans, said Michael Shepherd, Fifth Third Bancorp's SBA national manager.

"We're not afraid the program will be pulled out from under us," Shepherd said. "Borrowers are in a much better position than they have been in the past."

That's good news for small-business borrowers, who are reaping the benefits of more activity. Fifth Third's SBA loan volume is up 20 percent to 25 percent so far this year compared with last year, Shepherd said.

National City Bank's entry into the market should heat up the SBA loan business. National City was the top SBA lender in both Ohio and Kentucky for the third straight year in the SBA's 2004 fiscal year ending in September.

National City Corp. bought Cincinnati-based Provident Financial Group Inc. in July 2004, marking its first entry to the local retail banking market. Small business has been a big push.

"Mike Price (CEO of National City's Greater Cincinnati market) started the small-business program at National City some seven years ago," said Joe Chasteen, National City's area manager of small business banking for Cincinnati and Northern Kentucky.

National City already has boosted its local small-business banking unit by 50 percent, to 12 bankers, since July, Chasteen said.

U.S. Bank, PNC, Bank One, Huntington Bank and KeyBank also play a big role in making SBA loans.

"It's always a competitive market," Shepherd said.

[From the Chicago Tribune, Dec. 27, 2004]

SBA PROGRAM LOOKS SOUND

(By Rob Kaiser)

Holiday magic isn't the likely reason the U.S. Small Business Administration and its numerous critics appear in harmony for the first time in years.

A more likely explanation is the \$16 billion stocking stuffer for the SBA's flagship 7(a) loan program, which will likely keep it from suffering short-falls in 2005 that drew the ire of banks and small-business owners this year.

"The risk of a cap or a shutdown is basically nil," said Tony Wilkinson, president of the National Association of Government Guaranteed Lenders and a frequent SBA critic.

Such an outlook is a vast improvement from recent years, when frequent loan limits and speculation about shutdowns sent bankers scurrying to submit loan applications and left many business owners in limbo—often with unpaid bills—when expected loans suddenly evaporated.

To achieve the peace, bankers grudgingly accepted a return to paying higher fees as the Bush administration got its wish to wipe away a nearly \$80 million subsidy that had been supporting the 7(a) program. In return, the bankers expect to inherit a more stable program.

Such stability would have saved Julie Valenza a lot of time and money.

Valenza was close to purchasing her second Jimmy John's sandwich franchise in January when the \$250,000 loan she expected to secure through the 7(a) program was suddenly stalled when SBA stopped accepting new applications due to a funding short-fall.

To salvage the deal to purchase an existing store in Westmont, Valenza recruited her sister as an investor.

"At least I didn't have to bring in a stranger off the street," she said.

Still, the setback delayed the purchase by two months and means Valenza now has to split the store's profits.

Paul Andreotti, an executive vice president at National City Bank in Chicago, said SBA loans exist so such situations are avoided.

Without 7(a) loans, many business owners would have to finance growth on their credit cards or through other expensive means.

"If the SBA wasn't guaranteeing loans, banks couldn't be as aggressive and provide as much capital," said Andreotti, whose bank is putting together a 7(a) loan so Valenza can open a third Jimmy John's location in Oak Lawn.

While he's not happy to see the fees climbing, Andreotti said, "In the long run I think it will positively impact small businesses."

Fees for the 7(a) program are now 2 percent on loans up to \$150,000, up from 1 percent. Loans between \$150,001 and \$700,000 carry a 3 percent fee, up from 2.5 percent. Loans for more than \$700,000 still carry a 3.5 percent fee.

The loan applicant usually pays these fees. Banks have to pay another fee, which has also increased recently.

The SBA guarantees 85 percent of 7(a) loans up to \$150,000 and 75 percent of loans for more than \$150,000.

Previously, the highest loan guarantee was \$1 million, but under the new legislation that figure was raised to \$1.5 million. This means the program will now guarantee 75 percent of a \$2 million loan, the largest 7(a) loan available.

Still, not everyone in the SBA universe is sold that the recent compromise was the best solution.

"Clearly there were members of Congress that felt this program was worthy of receiving an appropriation," said James Ballentine, director of community and economic development at the American Bankers Association.

Ballentine said some business owners as well as leaders may be dissuaded from taking part in the program because of the fees.

Early indications, though, are that participation in the 7(a) program is at record levels.

From Oct. 1, the beginning of the fiscal year, through Dec. 10, the program has done more than 18,000 loans, worth nearly \$2.8 billion. During the same period last year, the program did fewer than 15,000 loans, worth \$2.4 billion.

In all of the last fiscal year, the 7(a) program did nearly 75,000 loans, worth \$12.6 billion. The program has \$16 billion in loans available for the current fiscal year.

"We think that should be sufficient," said Jodi Polonet, senior vice president of Business Loan Express LLC in New York. "We are satisfied."

Mr. WOLF. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FOLEY). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair will appoint conferees at a later time.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 35 minutes p.m.), the House stood in recess subject to the call of the Chair.



□ 1941

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOUSTANY) at 7 o'clock and 41 minutes p.m.

# APPOINTMENT OF CONFEREES ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. WOLF, TAYLOR of North Carolina, KIRK, WELDON of Florida, GOODE, LAHOOD, CULBERSON, ALEXANDER, LEWIS of California, MOLLOHAN, SERRANO, CRAMER, KENNEDY of Rhode Island, FATTAH, and OBEY.

There was no objection.

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 1606, by the yeas and nays;

H.R. 4061, by the yeas and nays;

H.R. 1691, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

# ONLINE FREEDOM OF SPEECH ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1606.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. MILLER) that the House suspend the rules and pass the bill, H.R. 1606, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 182, not voting 26, as follows:

[Roll No. 559]

## YEAS—225

Aderholt	Bono	Clay
Akin	Boozman	Cole (OK)
Alexander	Boren	Conaway
Baca	Boucher	Conyers
Bachus	Boustany	Costa
Baker	Brady (TX)	Cramer
Barrett (SC)	Brown (OH)	Crenshaw
Barrow	Brown (SC)	Cuellar
Bartlett (MD)	Burgess	Culberson
Barton (TX)	Burton (IN)	Cunningham
Beauprez	Buyer	Davis (KY)
Berman	Calvert	Davis (TN)
Biggert	Camp	Davis, Jo Ann
Bilirakis	Cannon	Davis, Tom
Bishop (GA)	Cantor	Deal (GA)
Bishop (UT)	Capito	DeLay
Blackburn	Capuano	Dent
Blumenauer	Cardoza	Diaz-Balart, L.
Blunt	Carter	Diaz-Balart, M.
Boehner	Chabot	Doolittle
Bonilla	Chandler	Drake
Bonner	Chocola	Dreier

Duncan	Kingston	Renzi
Ehlers	Kline	Reynolds
English (PA)	Knollenberg	Rogers (AL)
Eshoo	Kolbe	Rogers (KY)
Everett	Kuhl (NY)	Rogers (MI)
Fattah	Latham	Rohrabacher
Feeney	Lee	Ros-Lehtinen
Ferguson	Lewis (CA)	Ross
Fitzpatrick (PA)	Lewis (KY)	Royce
Flake	Linder	Ryan (OH)
Foley	Lofgren, Zoe	Ryan (WI)
Forbes	Lucas	Ryun (KS)
Fortenberry	Lungren, Daniel	Salazar
Fossella	E.	Sanchez, Loretta
Fox	Mack	Scott (GA)
Franks (AZ)	Manzullo	Sensenbrenner
Garrett (NJ)	Marchant	Serrano
Gerlach	Matheson	Sessions
Gibbons	McCaul (TX)	Shadegg
Gingrey	McCotter	Shaw
Gohmert	McCrery	Sherwood
Goode	McHenry	Shimkus
Goodlatte	McHugh	Shuster
Granger	McKeon	Simpson
Graves	McKinney	Smith (TX)
Green (WI)	McMorris	Smith (WA)
Gutknecht	Melancon	Sodrel
Harris	Mica	Souder
Hart	Miller (MI)	Stearns
Hastings (WA)	Miller, Gary	Moran (KS)
Hayes	Moran (KS)	Murphy
Hayworth	Murphy	Murtha
Hensarling	Murtha	Musgrave
Herger	Musgrave	Myrick
Hereth	Myrick	Neugebauer
Hoekstra	Neugebauer	Ney
Honda	Ney	Northup
Hostettler	Northup	Nunes
Hoyer	Nunes	Nussle
Hulshof	Nussle	Otter
Hunter	Otter	Paul
Inglis (SC)	Paul	Pence
Issa	Pence	Peterson (MN)
Istook	Peterson (MN)	Peterson (PA)
Jenkins	Peterson (PA)	Pickering
Jindal	Pickering	Pitts
Johnson, Sam	Pitts	Poe
Jones (NC)	Poe	Porter
Keller	Porter	Price (GA)
Kelly	Price (GA)	Putnam
Kennedy (MN)	Putnam	Rahall
Kennedy (RI)	Rahall	Rehberg
Kind	Rehberg	Reichert
King (IA)	Reichert	

## NAYS—182

Abercrombie	Emerson	Lantos
Allen	Engel	Larsen (WA)
Andrews	Evans	Larson (CT)
Baird	Farr	LaTourette
Baldwin	Filner	Leach
Bass	Ford	Levin
Bean	Frank (MA)	Lewis (GA)
Becerra	Frelinghuysen	Lipinski
Berkley	Gallely	LoBiondo
Berry	Gilchrest	Lowe
Bishop (NY)	Gillmor	Lynch
Boehlert	Gonzalez	Maloney
Boyd	Gordon	Markey
Bradley (NH)	Green, Al	Matsui
Brown, Corrine	Green, Gene	McCarthy
Butterfield	Grijalva	McDermott
Capps	Gutierrez	McGovern
Cardin	Hefley	McIntyre
Carnahan	Higgins	McNulty
Carson	Hinche	Meehan
Case	Hinojosa	Meek (FL)
Castle	Hobson	Meeks (NY)
Cleaver	Holden	Michaud
Clyburn	Holt	Millender
Coble	Hooley	McDonald
Cooper	Inslee	Miller (NC)
Costello	Israel	Miller, George
Crowley	Jackson (IL)	Mollohan
Cummings	Jackson-Lee	Moore (KS)
Davis (AL)	(TX)	Moore (WI)
Davis (CA)	Jefferson	Moran (VA)
Davis (FL)	Johnson (CT)	Nadler
Davis (IL)	Johnson (IL)	Napolitano
DeFazio	Johnson, E. B.	Neal (MA)
DeGette	Jones (OH)	Oberstar
Delahunt	Kanjorski	Obey
DeLauro	Kaptur	Olver
Dicks	Kildee	Ortiz
Dingell	Kilpatrick (MI)	Osborne
Doggett	Kirk	Owens
Doyle	Kucinich	Pallone
Edwards	LaHood	Pascarell
Emanuel	Langevin	Pastor

Payne	Schwartz (PA)	Turner
Pelosi	Schwarz (MI)	Udall (NM)
Petri	Scott (VA)	Upton
Platts	Shays	Van Hollen
Pomeroy	Sherman	Velazquez
Price (NC)	Simmons	Visclosky
Ramstad	Skelton	Walden (OR)
Rangel	Slaughter	Walsh
Regula	Smith (NJ)	Wamp
Rothman	Snyder	Wasserman
Ruppersberger	Solis	Schultz
Rush	Spratt	Watt
Sanchez, Linda	Stupak	Waxman
T.	Tanner	Weiner
Sanders	Tauscher	Weldon (PA)
Saxton	Taylor (MS)	Wexler
Schakowsky	Thompson (MS)	Wilson (NM)
Schiff	Tierney	Wolf
Schmidt	Towns	Wu

## NOT VOTING—26

Ackerman	Hastings (FL)	Pearce
Boswell	Hyde	Pombo
Brady (PA)	King (NY)	Pryce (OH)
Brown-Waite,	Marshall	Radanovich
Ginny	McCullum (MN)	Reyes
Cubin	Menendez	Roybal-Allard
Etheridge	Miller (FL)	Sabo
Hall	Norwood	Stark
Harman	Oxley	Young (AK)

□ 2008

Messrs. SAXTON, GALLEGLY, CUMMINGS, Ms. JACKSON-LEE of Texas, Messrs. CARNAHAN, SPRATT, LARSON of Connecticut, REGULA, PAYNE, and WALSH changed their vote from “yea” to “nay.”

Ms. WOOLSEY, Mrs. DRAKE, Mr. FORBES, Mrs. JO ANN DAVIS of Virginia, Messrs. BLUMENAUER, BOREN, RAHALL, and Ms. WATERS changed their vote from “nay” to “yea.”

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

# DEPARTMENT OF VETERANS AFFAIRS INFORMATION TECHNOLOGY MANAGEMENT IMPROVEMENT ACT OF 2005

The SPEAKER pro tempore (Mr. BOUSTANY). The pending business is the question of suspending the rules and passing the bill, H.R. 4061.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BUYER) that the House suspend the rules and pass the bill, H.R. 4061, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 408, nays 0, not voting 25, as follows:

[Roll No. 560]

## YEAS—408

Abercrombie	Beauprez	Bono
Aderholt	Becerra	Boozman
Akin	Berkley	Boren
Alexander	Berman	Boucher
Allen	Berry	Boustany
Andrews	Biggert	Boyd
Baca	Bilirakis	Bradley (NH)
Bachus	Bishop (GA)	Brady (TX)
Baird	Bishop (NY)	Brown (OH)
Baker	Bishop (UT)	Brown (SC)
Baldwin	Blackburn	Brown, Corrine
Barrett (SC)	Blumenauer	Burgess
Barrow	Blunt	Burton (IN)
Bartlett (MD)	Boehlert	Butterfield
Barton (TX)	Boehner	Buyer
Bass	Bonilla	Calvert
Bean	Bonner	Camp

Cannon	Grijalva	McMorris	Sherwood	Tauscher	Wasserman	Costello	Hunter	Napolitano
Cantor	Gutierrez	McNulty	Shimkus	Taylor (MS)	Schultz	Cramer	Inglis (SC)	Neal (MA)
Capito	Gutknecht	Meehan	Shuster	Taylor (NC)	Waters	Crenshaw	Inslee	Neugebauer
Capps	Harris	Meek (FL)	Simmons	Terry	Watson	Crowley	Israel	Ney
Capuano	Hart	Meeks (NY)	Simpson	Thomas	Watt	Cuellar	Issa	Northup
Cardin	Hastings (WA)	Melancon	Skelton	Thompson (CA)	Waxman	Culberson	Istook	Nunes
Cardoza	Hayes	Mica	Slaughter	Thompson (MS)	Weiner	Cummings	Jackson (IL)	Nussle
Carnahan	Hayworth	Michaud	Smith (NJ)	Thornberry	Weldon (FL)	Cunningham	Jackson-Lee	Oberstar
Carson	Hefley	Millender-	Smith (TX)	Tiahrt	Weldon (PA)	Davis (AL)	(TX)	Obey
Carter	Hensarling	McDonald	Smith (WA)	Tiberi	Weller	Davis (CA)	Jefferson	Olver
Case	Herger	Miller (MI)	Snyder	Tierney	Westmoreland	Davis (FL)	Jenkins	Ortiz
Castle	Herseth	Miller (NC)	Sodrel	Towns	Wexler	Davis (IL)	Jindal	Osborne
Chabot	Higgins	Miller, Gary	Solis	Turner	Whitfield	Davis (KY)	Johnson (CT)	Otter
Chandler	Hinchev	Miller, George	Souder	Udall (CO)	Wicker	Davis (TN)	Johnson (IL)	Owens
Chocola	Hinojosa	Mollohan	Spratt	Udall (NM)	Wilson (NM)	Davis, Jo Ann	Johnson, E. B.	Pallone
Clay	Hobson	Moore (KS)	Stearns	Upton	Wilson (SC)	Davis, Tom	Johnson, Sam	Pascarell
Cleaver	Hoekstra	Moore (WI)	Strickland	Van Hollen	Wolf	Deal (GA)	Jones (NC)	Pastor
Clyburn	Holden	Moran (KS)	Stupak	Velázquez	Woolsey	DeFazio	Jones (OH)	Paul
Coble	Holt	Moran (VA)	Sullivan	Visclosky	Wu	DeGette	Kanjorski	Payne
Cole (OK)	Honda	Murphy	Sweeney	Walden (OR)	Wynn	Delahunt	Kaptur	Pelosi
Conaway	Hooley	Murtha	Tancredo	Walsh	Young (FL)	DeLauro	Keller	Pence
Conyers	Hostettler	Musgrave	Tanner	Wamp		DeLay	Kelly	Peterson (MN)
Cooper	Hoyer	Myrick				Dent	Kennedy (MN)	Peterson (PA)
Costa	Hulshof	Nadler	Ackerman	Hastings (FL)	Pearce	Diaz-Balart, L.	Kennedy (RI)	Petri
Costello	Hunter	Napolitano	Boswell	Hyde	Pombo	Diaz-Balart, M.	Kildee	Pickering
Cramer	Inglis (SC)	Neal (MA)	Brady (PA)	King (NY)	Radanovich	Dicks	Kilpatrick (MI)	Pitts
Crenshaw	Inslee	Neugebauer	Brown-Waite,	Marshall	Reyes	Dingell	Kind	Platts
Crowley	Israel	Ney	Ginny	McCollum (MN)	Roybal-Allard	Doggett	King (IA)	Poe
Cuellar	Issa	Northup	Cubin	Menendez	Sabo	Doolittle	Kingston	Pomeroy
Culberson	Istook	Nunes	Etheridge	Miller (FL)	Stark	Doyle	Kirk	Porter
Cummings	Jackson (IL)	Nussle	Hall	Norwood	Young (AK)	Drake	Kline	Price (GA)
Cunningham	Jackson-Lee	Oberstar	Harman	Oxley		Dreier	Knollenberg	Price (NC)
Davis (AL)	(TX)	Obey				Duncan	Kolbe	Pryce (OH)
Davis (CA)	Jefferson	Olver				Edwards	Kucinich	Putnam
Davis (FL)	Jenkins	Ortiz				Ehlers	Kuhl (NY)	Rahall
Davis (IL)	Jindal	Osborne				Emanuel	LaHood	Ramstad
Davis (KY)	Johnson (CT)	Otter				Emerson	Langevin	Rangel
Davis (TN)	Johnson (IL)	Owens				Engel	Lantos	Regula
Davis, Jo Ann	Johnson, E. B.	Pallone				English (PA)	Larsen (WA)	Rehberg
Davis, Tom	Johnson, Sam	Pascarell				Eshoo	Larson (CT)	Reichert
Deal (GA)	Jones (NC)	Pastor				Evans	Latham	Renzi
DeFazio	Jones (OH)	Paul				Everett	LaTourette	Reynolds
DeGette	Kanjorski	Payne				Farr	Leach	Rogers (AL)
Delahunt	Kaptur	Pelosi				Fattah	Lee	Rogers (KY)
DeLauro	Keller	Pence				Feeney	Levin	Rogers (MI)
DeLay	Kelly	Peterson (MN)				Ferguson	Lewis (CA)	Rohrabacher
Dent	Kennedy (MN)	Peterson (PA)				Filner	Lewis (GA)	Ros-Lehtinen
Diaz-Balart, L.	Kennedy (RI)	Petri				Fitzpatrick (PA)	Lewis (KY)	Ross
Diaz-Balart, M.	Kildee	Pickering				Flake	Linder	Rothman
Dicks	Kilpatrick (MI)	Pitts				Foley	Lipinski	Royce
Dingell	Kind	Platts				Forbes	LoBiondo	Ruppersberger
Doggett	King (IA)	Poe				Ford	Lofgren, Zoe	Rush
Doolittle	Kingston	Pomeroy				Fortenberry	Lowey	Ryan (OH)
Doyle	Kirk	Porter				Fossella	Lucas	Ryan (WI)
Drake	Kline	Price (GA)				Fox	Lungren, Daniel	Ryun (KS)
Dreier	Knollenberg	Price (NC)				Frank (MA)	E.	Salazar
Duncan	Kolbe	Pryce (OH)				Franks (AZ)	Lynch	Salazar
Edwards	Kucinich	Putnam				Frelinghuysen	Mack	Sánchez, Linda
Ehlers	Kuhl (NY)	Rahall				Gallegly	Maloney	T.
Emanuel	LaHood	Ramstad				Garrett (NJ)	Manzullo	Sanchez, Loretta
Emerson	Langevin	Rangel				Gerlach	Marchant	Sanders
Engel	Lantos	Regula				Gibbons	Markey	Saxton
English (PA)	Larsen (WA)	Rehberg				Gilchrest	Matheson	Schakowsky
Eshoo	Larson (CT)	Reichert				Gillmor	Matsui	Schiff
Evans	Latham	Renzi				Gingrey	McCarthy	Schmidt
Everett	LaTourette	Reynolds				Gohmert	McCarthy	Schwartz (PA)
Farr	Leach	Rogers (AL)				Gonzalez	McCaul (TX)	Schwarz (MI)
Fattah	Lee	Rogers (KY)				Goode	McCotter	Scott (GA)
Feeney	Levin	Rogers (MI)				Goodlatte	McCrery	Scott (VA)
Ferguson	Lewis (CA)	Rohrabacher				Goodlatte	McDermott	Scott (VA)
Filner	Lewis (GA)	Ros-Lehtinen				Gordon	McGovern	Sensenbrenner
Fitzpatrick (PA)	Lewis (KY)	Ross				Granger	McHenry	Serrano
Flake	Linder	Rothman				Graves	McHugh	Sessions
Foley	Lipinski	Royce				Green (WI)	McIntyre	Shadegg
Forbes	LoBiondo	Ruppersberger				Green, Al	McKeon	Shaw
Ford	Lofgren, Zoe	Rush				Green, Gene	McKinney	Shays
Fortenberry	Lowey	Ryan (OH)				Grijalva	McMorris	Sherman
Fossella	Lucas	Ryan (WI)				Gutierrez	McNulty	Sherwood
Fox	Lungren, Daniel	Ryun (KS)				Gutknecht	Meehan	Shimkus
Frank (MA)	E.	Salazar				Harris	Meek (FL)	Shuster
Franks (AZ)	Lynch	Sánchez, Linda				Hart	Meeks (NY)	Simmons
Frelinghuysen	Mack	T.				Hastings (WA)	Melancon	Simpson
Gallegly	Maloney	Sanchez, Loretta				Hayes	Mica	Skelton
Garrett (NJ)	Manzullo	Sanders				Hayworth	Michaud	Slaughter
Gerlach	Marchant	Saxton				Hefley	Millender-	Smith (NJ)
Gibbons	Markey	Schakowsky				Hensarling	McDonald	Smith (TX)
Gilchrest	Matheson	Schiff				Herger	Miller (MI)	Smith (WA)
Gillmor	Matsui	Schmidt				Herseth	Miller (NC)	Snyder
Gingrey	McCarthy	Schwartz (PA)				Higgins	Miller, Gary	Sodrel
Gohmert	McCaul (TX)	Schwartz (MI)				Hinojosa	Mollohan	Solis
Gonzalez	McCotter	Scott (GA)				Hobson	Moore (KS)	Souder
Goode	McCrery	Scott (VA)				Hoekstra	Moore (WI)	Spratt
Goodlatte	McDermott	Sensenbrenner				Holden	Moran (KS)	Stearns
Gordon	McGovern	Serrano				Holt	Moran (VA)	Strickland
Granger	McHenry	Sessions				Honda	Murphy	Stupak
Graves	McHugh	Shadegg				Hooley	Murtha	Sullivan
Green (WI)	McIntyre	Shaw				Hostettler	Musgrave	Sweeney
Green, Al	McKeon	Shays				Hoyer	Nadler	Tancredo
Green, Gene	McKinney	Sherman				Hulshof		Tanner

## NOT VOTING—25

□ 2018

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## JOHN H. BRADLEY DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

The SPEAKER pro tempore (Mr. BOUSTANY). The pending business is the question of suspending the rules and passing the bill, H.R. 1691.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. BUYER) that the House suspend the rules and pass the bill, H.R. 1691, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 26, as follows:

[Roll No. 561]

YEAS—407

Abercrombie	Bishop (NY)	Camp
Aderholt	Bishop (UT)	Cannon
Akin	Blackburn	Cantor
Alexander	Blumenauer	Capito
Allen	Blunt	Capps
Andrews	Boehlert	Capuano
Baca	Boehner	Cardin
Bachus	Bonilla	Cardoza
Baird	Bonner	Carnahan
Baker	Bono	Carson
Baldwin	Boozman	Carter
Barrett (SC)	Boren	Case
Barrow	Boucher	Castle
Bartlett (MD)	Boustany	Chabot
Barton (TX)	Boyd	Chandler
Bass	Bradley (NH)	Chocola
Bean	Brady (TX)	Clay
Becerra	Brown (OH)	Cleaver
Berkley	Brown (SC)	Clyburn
Berman	Brown, Corrine	Coble
Berry	Burgess	Cole (OK)
Biggert	Burton (IN)	Conaway
Bilirakis	Butterfield	Conyers
Bishop (GA)	Calvert	Cooper
		Costa

Taylor (NC)	Velázquez	Weller
Terry	Visclosky	Westmoreland
Thomas	Walden (OR)	Wexler
Thompson (CA)	Walsh	Whitfield
Thompson (MS)	Wamp	Wicker
Thornberry	Wasserman	Wilson (NM)
Tiahrt	Schultz	Wilson (SC)
Tiberi	Waters	Wolf
Turney	Watson	Woolsey
Turner	Watt	Wu
Udall (CO)	Waxman	Wynn
Udall (NM)	Weiner	Young (FL)
Upton	Weldon (FL)	
Van Hollen	Weldon (PA)	

## NOT VOTING—26

Ackerman	Hastings (FL)	Pearce
Boswell	Hyde	Pombo
Brady (PA)	King (NY)	Radanovich
Brown-Waite,	Marshall	Reyes
Ginny	McCollum (MN)	Roybal-Allard
Cubin	Menendez	Sabo
Etheridge	Miller (FL)	Stark
Hall	Norwood	Towns
Harman	Oxley	Young (AK)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that two minutes remain in this vote.

□ 2026

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

# CONFERENCE REPORT ON H.R. 3057, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006

Mr. KOLBE submitted the following conference report and statement on the bill (H.R. 3057) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes:

CONFERENCE REPORT (H. REPT. 109-265)  
[To accompany H.R. 3057]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3057) "making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate to the text, and agree to the same with an amendments, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:*

## TITLE I—EXPORT AND INVESTMENT ASSISTANCE

### EXPORT-IMPORT BANK OF THE UNITED STATES INSPECTOR GENERAL OF THE EXPORT-IMPORT BANK

*For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$1,000,000, to remain available until September 30, 2007.*

### EXPORT-IMPORT BANK PROGRAM ACCOUNT

*The Export-Import Bank of the United States is authorized to make such expenditures within*

*the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That notwithstanding section 1(c) of Public Law 103-428, as amended, sections 1(a) and (b) of Public Law 103-428 shall remain in effect through October 1, 2006.*

### SUBSIDY APPROPRIATION

*For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, \$100,000,000, to remain available until September 30, 2009: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall remain available until September 30, 2024, for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2006, 2007, 2008, and 2009: Provided further, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: Provided further, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any Eastern European country, any Baltic State or any agency or national thereof.*

### ADMINISTRATIVE EXPENSES

*For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed \$30,000 for official reception and representation expenses for members of the Board of Directors, \$73,200,000: Provided, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: Provided further, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2006.*

### OVERSEAS PRIVATE INVESTMENT CORPORATION

#### NONCREDIT ACCOUNT

*The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: Provided, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed \$35,000) shall not exceed \$42,274,000: Provided further, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961,*

*shall not be considered administrative expenses for the purposes of this heading.*

#### PROGRAM ACCOUNT

*For the cost of direct and guaranteed loans, \$20,276,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Non-Credit Account: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2006 and 2007: Provided further, That such sums shall remain available through fiscal year 2014 for the disbursement of direct and guaranteed loans obligated in fiscal year 2006, and through fiscal year 2015 for the disbursement of direct and guaranteed loans obligated in fiscal year 2007: Provided further, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: Provided further, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.*

*In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Non-Credit Account and merged with said account.*

#### FUNDS APPROPRIATED TO THE PRESIDENT

##### TRADE AND DEVELOPMENT AGENCY

*For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, \$50,900,000, to remain available until September 30, 2007.*

## TITLE II—BILATERAL ECONOMIC ASSISTANCE

#### FUNDS APPROPRIATED TO THE PRESIDENT

*For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2006, unless otherwise specified herein, as follows:*

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

##### CHILD SURVIVAL AND HEALTH PROGRAMS FUND (INCLUDING TRANSFER OF FUNDS)

*For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, health, and family planning/reproductive health activities, in addition to funds otherwise available for such purposes, \$1,585,000,000, to remain available until September 30, 2007: Provided, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases, and for assistance to communities severely affected by HIV/AIDS, including children displaced or orphaned by AIDS; and (6) family planning/reproductive health: Provided further, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: Provided further, That of the funds appropriated under this heading, not to exceed \$350,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs: Provided further, That the following*

amounts should be allocated as follows: \$360,000,000 for child survival and maternal health; \$30,000,000 for vulnerable children; \$350,000,000 for HIV/AIDS; \$220,000,000 for other infectious diseases; and \$375,000,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: Provided further, That of the funds appropriated under this heading, and in addition to funds allocated under the previous proviso, not less than \$250,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108-25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund"), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2006 may be made available to the United States Agency for International Development for technical assistance related to the activities of the Global Fund: Provided further, That of the funds appropriated under this heading, \$70,000,000 should be made available for a United States contribution to The Vaccine Fund, and up to \$6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading "Operating Expenses of the United States Agency for International Development" for costs directly related to international health, but funds made available for such costs may not be derived from amounts made available for contribution under this and preceding provisos: Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: Provided further, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: Provided further, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion: Provided further, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible infor-

mation on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: Provided further, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: Provided further, That to the maximum extent feasible, taking into consideration cost, timely availability, and best health practices, funds appropriated in this Act or prior appropriations Acts that are made available for condom procurement shall be made available only for the procurement of condoms manufactured in the United States: Provided further, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

#### DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, \$1,524,000,000, to remain available until September 30, 2007: Provided, That \$214,000,000 should be allocated for trade capacity building, of which at least \$20,000,000 shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic: Provided further, That \$365,000,000 should be allocated for basic education: Provided further, That of the funds appropriated under this heading and managed by the United States Agency for International Development, Bureau of Democracy, Conflict, and Humanitarian Assistance, not less than \$15,000,000 shall be made available only for programs to improve women's leadership capacity in recipient countries: Provided further, That such funds may not be made available for construction: Provided further, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed \$42,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: Provided further, That funds appropriated under this heading should be made available for programs in sub-Saharan Africa to address sexual and gender-based violence: Provided further, That of the aggregate amount of the funds appropriated by this Act that are made available for agriculture and rural development programs,

\$30,000,000 should be made available for plant biotechnology research and development: Provided further, That not less than \$2,300,000 should be made available for core support for the International Fertilizer Development Center: Provided further, That of the funds appropriated under this heading, not less than \$20,000,000 should be made available for the American Schools and Hospitals Abroad program: Provided further, That of the funds appropriated under this heading, \$10,000,000 may be made available for cooperative development programs within the Office of Private and Voluntary Cooperation: Provided further, That of the funds appropriated under this heading, \$2,000,000 shall be made available for reconstruction and development programs in South Asia: Provided further, That funds should be made available for activities to reduce the incidence of child marriage in developing countries: Provided further, That of the funds appropriated under this heading, up to \$20,000,000 should be made available to develop clean water treatment activities in developing countries: Provided further, That of the funds appropriated by this Act, not less than \$200,000,000 shall be made available for drinking water supply projects and related activities, of which not less than \$50,000,000 should be made available for programs in Africa.

#### INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, \$365,000,000, to remain available until expended, of which \$20,000,000 should be for famine prevention and relief.

#### TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, \$40,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: Provided, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: Provided further, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: Provided further, That if the President determines that is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to \$15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: Provided further, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

#### DEVELOPMENT CREDIT AUTHORITY (INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to \$21,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Eastern Europe and the Baltic States": Provided, That such funds shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: Provided further, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as

amended: Provided further, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading: Provided further, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to \$700,000,000.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, \$8,000,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: Provided, That funds made available under this heading shall remain available until September 30, 2008.

#### PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, \$41,700,000.

#### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$630,000,000, of which up to \$25,000,000 may remain available until September 30, 2007: Provided, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long-term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: Provided further, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long-term lease of offices does not exceed \$1,000,000: Provided further, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2007: Provided further, That none of the funds in this Act may be used to open a new overseas mission of the United States Agency for International Development without the prior written notification of the Committees on Appropriations: Provided further, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses of the United States Agency for International Development" in accordance with the provisions of those sections.

#### CAPITAL INVESTMENT FUND

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, \$70,000,000, to remain available until expended: Provided, That this amount is in addition to funds otherwise available for such purposes: Provided further, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appro-

priated under this heading, not to exceed \$48,100,000 may be made available for the purposes of implementing the Capital Security Cost Sharing Program.

#### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, \$36,000,000, to remain available until September 30, 2007, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

#### OTHER BILATERAL ECONOMIC ASSISTANCE ECONOMIC SUPPORT FUND (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II, \$2,634,000,000, to remain available until September 30, 2007: Provided, That of the funds appropriated under this heading, not less than \$240,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: Provided further, That not less than \$495,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic and political reforms which are additional to those which were undertaken in previous fiscal years: Provided further, That with respect to the provision of assistance for Egypt for democracy and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the Government of Egypt: Provided further, That of the funds appropriated under this heading for assistance for Egypt, not less than \$135,000,000 shall be made available for project assistance, of which not less than \$50,000,000 shall be made available for democracy, human rights and governance programs and not less than \$50,000,000 shall be used for education programs, of which not less than \$5,000,000 shall be made available for scholarships for disadvantaged Egyptian students to attend American accredited institutions of higher education in Egypt: Provided further, That of the funds appropriated under this heading for assistance for Egypt for economic reform activities, \$227,600,000 shall be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that Egypt has met the calendar year 2005 benchmarks accompanying the "Financial Sector Reform Memorandum of Understanding" dated March 20, 2005: Provided further, That \$20,000,000 of the funds appropriated under this heading should be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicomunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: Provided further, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: Provided further, That of the funds appropriated under this heading, not less than \$250,000,000 should be made available only for assistance for Jordan: Provided further, That of the funds appropriated under this heading that are available for assistance for the West Bank and Gaza, not to exceed \$2,000,000 may be used for administrative expenses of the United States Agency for International Development, in addition to funds otherwise available for such purposes, to carry out programs in the West Bank and Gaza: Provided

further, That not more than \$225,000,000 of the funds made available for assistance for Afghanistan under this heading may be obligated for such assistance until the Secretary of State certifies to the Committees on Appropriations that the Government of Afghanistan at both the national and local level is cooperating fully with United States funded poppy eradication and interdiction efforts in Afghanistan: Provided further, That the President may waive the previous proviso if he determines and reports to the Committees on Appropriations that to do so is vital to the national security interests of the United States: Provided further, That such report shall include an analysis of the steps being taken by the Government of Afghanistan, at the national and local level, to cooperate fully with United States funded poppy eradication and interdiction efforts in Afghanistan: Provided further, That \$40,000,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than \$6,000,000 should be made available for scholarships and direct support of American educational institutions in Lebanon: Provided further, That of the funds appropriated under this heading that are made available for assistance for Iraq, not less than \$5,000,000 shall be transferred to and merged with funds appropriated under the heading "Iraq Relief and Reconstruction Fund" in chapter 2 of title II of Public Law 108-106 and shall be made available for the Marla Ruzicka Iraqi War Victims Fund: Provided further, That of the funds appropriated under this heading that are made available for assistance for Iraq, not less than \$56,000,000 shall be made available for democracy, governance and rule of law programs in Iraq: Provided further, That of the funds appropriated under this heading, not less than \$19,000,000 shall be made available for assistance for the Democratic Republic of Timor-Leste, of which up to \$1,000,000 may be available for administrative expenses of the United States Agency for International Development: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading shall be made available for programs and activities for the Central Highlands of Vietnam: Provided further, That funds appropriated under this heading that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of funds appropriated under this heading, \$13,000,000 should be made available for a United States contribution to the Special Court for Sierra Leone: Provided further, That with respect to funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State and this responsibility shall not be delegated.

#### INTERNATIONAL FUND FOR IRELAND

For necessary expenses to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961, \$13,500,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): Provided, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: Provided further, That funds made available under this heading shall remain available until September 30, 2007.

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, \$361,000,000, to remain available until September 30, 2007, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States: Provided, That of the funds appropriated under this heading \$5,000,000 should be made available for rule of law programs for the training of judges and prosecutors.

(b) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(c) The provisions of section 529 of this Act shall apply to funds appropriated under this heading: Provided, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 529 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989.

(d) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1-A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF  
THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, \$514,000,000, to remain available until September 30, 2007: Provided, That the provisions of such chapters shall apply to funds appropriated by this paragraph: Provided further, That funds made available for the Southern Caucasus region may be used, notwithstanding any other provision of law, for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: Provided further, That notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102-511 shall be subject to a 6 percent ceiling on administrative expenses.

(b) Of the funds appropriated under this heading, not less than \$50,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(c) Of the funds appropriated under this heading that are made available for assistance for Ukraine, not less than \$5,000,000 should be made available for nuclear reactor safety initia-

tives, and not less than \$1,500,000 shall be made available for coal mine safety programs.

(d) Of the funds appropriated under this heading, \$2,500,000 shall be made available for the Business Information Service for the Newly Independent States.

(e)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation—

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Non-proliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(f) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104-201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961 (22 U.S.C. 2421);

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.);

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, \$19,500,000, to remain available until September 30, 2007.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, \$23,000,000, to remain available until September 30, 2007: Provided, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the board of directors of the Foundation: Provided further, That interest earned shall be used only for the purposes for which the grant was made: Provided further, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project: Provided further, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, \$322,000,000, to remain available until September 30, 2007: Provided, That none of the funds ap-

propriated under this heading shall be used to pay for abortions: Provided further, That the Director may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed \$2,000,000: Provided further, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses for the "Millennium Challenge Corporation", \$1,770,000,000 to remain available until expended: Provided, That of the funds appropriated under this heading, up to \$75,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: Provided further, That up to 10 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003 for candidate countries for fiscal year 2006: Provided further, That none of the funds available to carry out section 616 of such Act may be made available until the Chief Executive Officer of the Millennium Challenge Corporation provides a report to the Committees on Appropriations listing the candidate countries that will be receiving assistance under section 616 of such Act, the level of assistance proposed for each such country, a description of the proposed programs, projects and activities, and the implementing agency or agencies of the United States Government: Provided further, That section 605(e)(4) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: Provided further, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact.

DEPARTMENT OF STATE

GLOBAL HIV/AIDS INITIATIVE

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, \$1,995,000,000, to remain available until expended, of which \$200,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108-25) for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and shall be expended at the minimum rate necessary to make timely payment for projects and activities.

DEMOCRACY FUND

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the promotion of democracy, governance, human rights, independent media, and the rule of law globally, \$95,000,000, to remain available until September 30, 2008: Provided, That funds appropriated under this heading shall be made available notwithstanding any other provision of law, and of such funds \$63,200,000 shall be made available for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, and not less than \$15,250,000 shall be made available for the National Endowment for Democracy: Provided further, That funds appropriated under this heading are in addition to funds otherwise available for such purposes: Provided further, That funds made available by title II of this Act for purposes of this section for any contract, grant, or cooperative agreement (or any amendment to any contract, grant, or cooperative agreement) in excess of \$10,000,000 shall be subject to the regular notification procedures of the Committees on Appropriations.



(b) Funds appropriated in subsection (a) should be made available for assistance for Taiwan for the purposes of furthering political and legal reforms: Provided, That such funds shall only be made available to the extent that they are matched from sources other than the United States Government.

(c) Funds appropriated in subsection (a) shall be made available for programs and activities to foster democracy, governance, human rights, civic education, women's development, press freedom, and the rule of law in countries located outside the Middle East region with a significant Muslim population, and where such programs and activities would be important to United States efforts to respond to, deter, or prevent acts of international terrorism: Provided, That such funds should support new initiatives and activities in those countries: Provided further, That of the funds appropriated in subsection (a) \$5,000,000 shall be made available for continuing programs and activities that provide professional training for journalists.

(d) Notwithstanding any other provision of law, funds appropriated by this Act may be made available for democracy, governance, human rights, and rule of law programs for Syria and Iran: Provided, That not less than \$6,550,000 of the funds appropriated in subsection (a) shall be made available for programs and activities that support the advancement of democracy in Iran and Syria.

(e) Funds made available for purposes of this section that are made available to the National Endowment for Democracy may be made available notwithstanding any other provision of law or regulation.

(f) Funds made available pursuant to the authority of subsections (b), (c) and (d) shall be subject to the regular notification procedures of the Committees on Appropriations.

#### INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, \$477,200,000, to remain available until September 30, 2008: Provided, That during fiscal year 2006, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That of the funds appropriated under this heading, not less than \$16,000,000 shall be made available for training programs and activities of the International Law Enforcement Academies: Provided further, That \$10,000,000 of the funds appropriated under this heading should be made available for demand reduction programs: Provided further, That of the funds appropriated under this heading, not more than \$33,484,000 may be available for administrative expenses.

#### ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, \$734,500,000, to remain available until September 30, 2008: Provided, That in fiscal year 2006, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the

National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: Provided further, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: Provided further, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: Provided further, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: Provided further, That funds made available in this Act for demobilization/reintegration of members of foreign terrorist organizations in Colombia shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: Provided further, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: Provided further, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations: Provided further, That of the funds appropriated under this heading that are available for alternative development/institution building, not less than \$228,772,000 shall be apportioned directly to the United States Agency for International Development including \$131,232,000 for assistance for Colombia: Provided further, That with respect to funds apportioned to the United States Agency for International Development under the previous proviso, the responsibility for policy decisions for the use of such funds, including what activities will be funded and the amount of funds that will be provided for each of those activities, shall be the responsibility of the Administrator of the United States Agency for International Development in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs: Provided further, That of the funds appropriated under this heading, in addition to funds made available for judicial reform programs in Colombia, not less than \$8,000,000 shall be made available to the United States Agency for International Development for organizations and programs to protect human rights: Provided further, That not more than 20 percent of the funds appropriated by this Act that are used for the procurement of chemicals for aerial coca and poppy fumigation programs may be made available for such programs unless the Secretary of State certifies to the Committees on Appropriations that: (1) the herbicide is being used in accordance with EPA label requirements for comparable use in the United States and with Colombian laws; and (2) the herbicide, in the manner it is being used, does not pose unreasonable risks or adverse effects to humans or the environment including endemic species: Provided further, That such funds may not be made available unless the Secretary of State certifies to the Committees on Appropriations that complaints of harm to health or licit crops caused by such fumigation are evaluated and fair compensation is being paid for meritorious claims: Provided further, That such funds may not be

made available for such purposes unless programs are being implemented by the United States Agency for International Development, the Government of Colombia, or other organizations, in consultation with local communities, to provide alternative sources of income in areas where security permits for small-acreage growers whose illicit crops are targeted for fumigation: Provided further, That of the funds appropriated under this heading, not less than \$2,000,000 should be made available for programs to protect biodiversity and indigenous reserves in Colombia: Provided further, That funds appropriated by this Act may be used for aerial fumigation in Colombia's national parks or reserves only if the Secretary of State determines that it is in accordance with Colombian laws and that there are no effective alternatives to reduce drug cultivation in these areas: Provided further, That no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: Provided further, That funds appropriated under this heading that are made available for assistance for the Bolivian military may be made available for such purposes only if the Secretary of State certifies that the Bolivian military is respecting human rights, and civilian judicial authorities are investigating and prosecuting, with the military's cooperation, military personnel who have been implicated in gross violations of human rights: Provided further, That of the funds appropriated under this heading, not more than \$19,015,000 may be available for administrative expenses of the Department of State, and not more than \$7,800,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

#### MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, \$791,000,000, to remain available until expended: Provided, That not more than \$23,000,000 may be available for administrative expenses: Provided further, That not less than \$40,000,000 of the funds made available under this heading shall be made available for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel: Provided further, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement: Provided further, That funds appropriated under this heading should be made available to develop effective responses to protracted refugee situations, including the development of programs to assist long-term refugee populations within and outside traditional camp settings that support refugees living or working in local communities such as integration of refugees into local schools and services, resource conservation projects and other projects designed to diminish conflict between refugee



hosting communities and refugees, and encouraging dialogue among refugee hosting communities, the United Nations High Commissioner for Refugees, and international and nongovernmental refugee assistance organizations to promote the rights to which refugees are entitled under the Convention Relating to the Status of Refugees of July 28, 1951 and the Protocol Relating to the Status of Refugees, done at New York January 31, 1967.

UNITED STATES EMERGENCY REFUGEE AND  
MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), \$30,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING  
AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, \$410,100,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: Provided, That of this amount not to exceed \$37,500,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: Provided further, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: Provided further, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: Provided further, That of the funds made available for demining and related activities, not to exceed \$705,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: Provided further, That funds appropriated under this heading that are available for "Anti-terrorism Assistance" and "Export Control and Border Security" shall remain available until September 30, 2007.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, \$20,000,000, to remain available until September 30, 2008, which shall be available notwithstanding any other provision of law.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, of

modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, of concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106-113, \$65,000,000, to remain available until September 30, 2008: Provided, That not less than \$20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: Provided further, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

- (1) the Inter-American Development Bank;
- (2) the African Development Fund;
- (3) the African Development Bank; and
- (4) the Central American Bank for Economic Integration:

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: Provided further, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: Provided further, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: Provided further, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as "enclave" loans; and

(2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

Provided further, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: Provided further, That none of the funds made available under this heading in this or any other appropriations Act shall be made available for Sudan or Burma unless the Secretary of the Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND  
TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance

Act of 1961, \$86,744,000, of which up to \$3,000,000 may remain available until expended: Provided, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights: Provided further, That funds appropriated under this heading for military education and training for Guatemala may only be available for expanded international military education and training, and funds made available for Haiti, the Democratic Republic of the Congo, and Nigeria may only be provided through the regular notification procedures of the Committees on Appropriations.

FOREIGN MILITARY FINANCING PROGRAM

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, \$4,500,000,000: Provided, That of the funds appropriated under this heading, not less than \$2,280,000,000 shall be available for grants only for Israel, and not less than \$1,300,000,000 shall be made available for grants only for Egypt: Provided further, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: Provided further, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than \$595,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: Provided further, That of the funds appropriated by this paragraph, \$210,000,000 shall be made available for assistance for Jordan: Provided further, That funds appropriated or otherwise made available by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: Provided further, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: Provided, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: Provided further, That none of the funds appropriated under this heading shall be available for assistance for Sudan and Guatemala: Provided further, That none of the funds appropriated under this heading may be made available for assistance for Haiti except pursuant to the regular notification procedures of the Committees on Appropriations: Provided further, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: Provided further, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: Provided further, That funds

appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: Provided further, That not more than \$42,500,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: Provided further, That not more than \$373,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2006 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: Provided further, That foreign military financing program funds estimated to be outlaid for Egypt during fiscal year 2006 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

#### PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, \$175,000,000: Provided, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

#### TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

##### FUNDS APPROPRIATED TO THE PRESIDENT INTERNATIONAL FINANCIAL INSTITUTIONS

###### GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, \$80,000,000 to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility (GEF), by the Secretary of the Treasury, to remain available until expended.

###### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, \$950,000,000, to remain available until expended.

###### CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

For payment to the Multilateral Investment Guarantee Agency by the Secretary of the Treasury, \$1,300,000, to remain available until expended.

###### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the Multilateral Investment Guarantee Agency may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital in an amount not to exceed \$8,126,527.

###### CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

For payment to the Inter-American Investment Corporation by the Secretary of the Treasury, \$1,741,515, to remain available until expended.

###### CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, \$1,741,515, to remain available until expended.

###### CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, \$100,000,000, to remain available until expended.

###### CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, \$3,638,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

###### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed \$88,333,855.

###### CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, \$135,700,000, to remain available until expended.

###### CONTRIBUTION TO THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

For payment to the European Bank for Reconstruction and Development by the Secretary of the Treasury, \$1,015,677 for the United States share of the paid-in portion of the increase in capital stock, to remain available until expended.

###### LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the European Bank for Reconstruction and Development may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$2,249,888.

###### CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, \$15,000,000, to remain available until expended.

###### INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, \$329,458,000: Provided, That none of the funds appropriated under this heading may be made available to the International Atomic Energy Agency (IAEA).

#### TITLE V—GENERAL PROVISIONS

##### COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 501. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

##### RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 502. None of the funds appropriated by this Act may be made available to pay any vol-

untary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

##### LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed \$100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: Provided, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

##### UNOBLIGATED BALANCES REPORT

SEC. 504. Any Department or Agency to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting by program, project, and activity of the funds received by such Department or Agency in this fiscal year or any previous fiscal year that remain unobligated and unexpended.

##### LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed \$250,000 shall be available for representation and entertainment allowances, of which not to exceed \$2,500 shall be available for entertainment allowances, for the United States Agency for International Development during the current fiscal year: Provided, That no such entertainment funds may be used for the purposes listed in section 548 of this Act: Provided further, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: Provided further, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed \$4,000 shall be available for entertainment expenses and not to exceed \$130,000 shall be available for representation allowances: Provided further, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed \$55,000 shall be available for entertainment allowances: Provided further, That of the funds made available by this Act for the Inter-American Foundation, not to exceed \$2,000 shall be available for entertainment and representation allowances: Provided further, That of the funds made available by this Act for the Peace Corps, not to exceed a total of \$4,000 shall be available for entertainment expenses: Provided further, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed \$4,000 shall be available for representation and entertainment allowances: Provided further, That of the funds made available by this Act under the heading "Millennium Challenge Corporation", not to exceed \$115,000 shall be available for representation and entertainment allowances.

##### PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 506. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2006 on funds appropriated by this Act by a foreign government or entity against commodities financed

under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2007 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) *DE MINIMIS EXCEPTION.*—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) *REPROGRAMMING OF FUNDS.*—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) *DETERMINATIONS.*—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State determines—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) *IMPLEMENTATION.*—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) *DEFINITIONS.*—As used in this section—

(1) the terms “taxes” and “taxation” refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term “bilateral agreement” refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

#### PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents: Provided further, That for purposes of this section, the prohibition shall not include activities of the Overseas Private Investment Corporation in Libya: Provided further, That the prohibition shall not include direct loans, credits, insurance and guarantees made available by the Export-Import Bank or its agents for or in Libya.

#### MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup or decree: Provided,

That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: Provided further, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: Provided further, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

#### TRANSFERS

SEC. 509. (a) (1) *LIMITATION ON TRANSFERS BETWEEN AGENCIES.*—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(b) *TRANSFERS BETWEEN ACCOUNTS.*—None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate.

(c) *AUDIT OF INTER-AGENCY TRANSFERS.*—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: Provided, That funds transferred under such authority may be made available for the cost of such audits.

#### COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 510. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

#### AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapters 4, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading “Assistance for Eastern Europe and the Baltic States”, shall remain available for an additional 4 years from the date on

which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

#### LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

#### COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: Provided, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: Provided, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

#### SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions,

using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

#### NOTIFICATION REQUIREMENTS

SEC. 515. For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Health Programs Fund", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Global HIV/AIDS Initiative", "Democracy Fund", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses of the United States Agency for International Development", "Operating Expenses of the United States Agency for International Development Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation" (by country only), "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are previously notified 15 days in advance: Provided, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: Provided further, That this section shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under title II of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year: Provided further, That the requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: Provided further, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: Provided further, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

#### LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of

the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2007.

#### INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: Provided, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: Provided, That this restriction does not apply to demilitarization, demining or non-proliferation programs.

(c) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" for the Russian Federation, Armenia, Kazakhstan, and Uzbekistan shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(e) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading "Assistance for the Independent States of the Former Soviet Union" and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to Europe and Eurasia and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

#### PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

#### EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2006, for programs under title I of this Act may be trans-

ferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: Provided, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

#### SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for assistance for Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

#### DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

#### CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to \$13,500,000 of the funds made available by this Act for assistance under the heading "Child Survival and Health Programs Fund", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: Provided, That up to \$3,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: Provided further, That funds appropriated by titles II and III of this Act that are made available for bilateral assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading "Child Survival and Health Programs Fund" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided further, That of the funds appropriated under title II of this Act, not less than \$440,000,000 shall be made available for family planning/reproductive health: Provided further, That the Comptroller General of the United States shall conduct an audit on the use of funds appropriated for fiscal years 2004 and 2005 under the heading "Child Survival and Health Programs Fund", to include specific recommendations on improving the effectiveness of such funds.

#### AFGHANISTAN

SEC. 523. Of the funds appropriated by titles II and III of this Act, not less than \$931,400,000

should be made available for humanitarian, reconstruction, and related assistance for Afghanistan: Provided, That of the funds made available pursuant to this section, not less than \$3,000,000 should be made available for reforestation activities: Provided further, That funds made available pursuant to the previous proviso should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: Provided further, That of the funds allocated for assistance for Afghanistan from this Act and other Acts making appropriations for foreign operations, export financing, and related programs for fiscal year 2006, not less than \$50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not less than \$7,500,000 shall be made available for grants to support training and equipment to improve the capacity of women-led Afghan nongovernmental organizations and to support the activities of such organizations: Provided further, That of the funds made available pursuant to this section, not less than \$2,000,000 should be made available for the Afghan Independent Human Rights Commission and for other Afghan human rights organizations.

#### NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: Provided, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at \$7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: Provided further, That such Committees shall also be informed of the original acquisition cost of such defense articles.

#### HIV/AIDS

SEC. 525. (a) Notwithstanding any other provision of this Act, 20 percent of the funds that are appropriated by this Act for a contribution to support the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund") shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the Committees on Appropriations that the Global Fund—

(1) has established clear progress indicators upon which to determine the release of incremental disbursements;

(2) is releasing such incremental disbursements only if progress is being made based on those indicators; and

(3) is providing support and oversight to country-level entities, such as country coordinating mechanisms, principal recipients, and local Fund agents, to enable them to fulfill their mandates.

(b) The Secretary of State may waive subsection (a) if the Secretary determines and reports to the Committees on Appropriations that such waiver is important to the national interest of the United States.

#### BURMA

SEC. 526. (a) The Secretary of the Treasury shall instruct the United States executive director to each appropriate international financial institution in which the United States participates, to oppose and vote against the extension by such institution of any loan or financial or technical assistance or any other utilization of funds of the respective bank to and for Burma.

(b) Of the funds appropriated under the heading "Economic Support Fund", not less than

\$11,000,000 shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's borders: Provided, That funds made available under this heading may be made available notwithstanding any other provision of law: Provided further, That in addition to assistance for Burmese refugees provided under the heading "Migration and Refugee Assistance" in this Act, not less than \$3,000,000 shall be made available for assistance for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma: Provided further, That funds made available under this section shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) The President shall include amounts expended by the Global Fund to Fight AIDS, Tuberculosis and Malaria to the State Peace and Development Council in Burma, directly or through groups and organizations affiliated with the Global Fund, in making determinations regarding the amount to be withheld by the United States from its contribution to the Global Fund pursuant to section 202(d)(4)(A)(ii) of Public Law 108-25.

#### PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

#### DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

#### SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) If assistance is furnished to the government of a foreign country under chapters I and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98-1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

## ENTERPRISE FUND RESTRICTIONS

SEC. 530. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(b) Funds made available by this Act for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

## FINANCIAL MARKET ASSISTANCE IN TRANSITION COUNTRIES

SEC. 531. Of the funds appropriated by this Act under the headings "Trade and Development Agency", "Development Assistance", "Transition Initiatives", "Economic Support Fund", "International Affairs Technical Assistance", "Assistance for the Independent States of the Former Soviet Union", "Nonproliferation, Anti-terrorism, Demining and Related Programs", and "Assistance for Eastern Europe and Baltic States", not less than \$40,000,000 should be made available for building capital markets and financial systems in countries in transition.

## AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 532. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

## IMPACT ON JOBS IN THE UNITED STATES

SEC. 533. None of the funds appropriated by this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: Provided, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

## SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles I and II of this Act that are made available for Iraq, Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of

the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: Provided, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: Provided, That not more than 10 of such contractors shall be assigned to any bureau or office: Provided further, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100–204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) VIETNAMESE REFUGEES.—Section 594(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (enacted as division D of Public Law 108–447; 118 Stat. 3038) is amended by striking "and 2005" and inserting "through 2007".

(g) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other sub-national entity emerging from instability, as well as a nation emerging from instability.

(h) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for International Development, from this or any other Act, not less than \$10,000,000 shall be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(i) UNIVERSITY PROGRAMS.—Notwithstanding any other provision of law, of the funds appropriated under the heading "Development Assistance" in this Act, up to \$5,000,000 shall be made available to American educational institutions for programs and activities in the People's Republic of China relating to the environment, democracy, and the rule of law: Provided, That

funds made available pursuant to this authority shall be subject to the regular notification procedures of the Committees on Appropriations.

## (j) EXTENSION OF AUTHORITY.—

(1) With respect to funds appropriated by this Act that are available for assistance for Pakistan, the President may waive the prohibition on assistance contained in section 508 of this Act subject to the requirements contained in section 1(b) of Public Law 107–57, as amended, for a determination and certification, and consultation, by the President prior to the exercise of such waiver authority.

(2) Section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961 shall not apply with respect to assistance for Pakistan from funds appropriated by this Act.

(3) Notwithstanding the date contained in section 6 of Public Law 107–57, as amended, the provisions of sections 2 and 4 of that Act shall remain in effect through the current fiscal year.

(k) MIDDLE EAST FOUNDATION.—Of the funds appropriated by this Act under the heading "Economic Support Fund" that are available for the Middle East Partnership Initiative, up to \$35,000,000 may be made available, including as an endowment, notwithstanding any other provision of law and following consultations with the Committees on Appropriations, to establish and operate a Middle East Foundation, or any other similar entity, whose purpose is to support democracy, governance, human rights, and the rule of law in the Middle East region: Provided, That such funds may be made available to the Foundation only to the extent that the Foundation has commitments from sources other than the United States Government to at least match the funds provided under the authority of this subsection: Provided further, That provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsection (b) of that section) shall be deemed to apply to any such foundation or similar entity referred to under this subsection, and to funds made available to such entity, in order to enable it to provide assistance for purposes of this section: Provided further, That prior to the initial obligation of funds for any such foundation or similar entity pursuant to the authorities of this subsection, other than for administrative support, the Secretary of State shall take steps to ensure, on an ongoing basis, that any such funds made available pursuant to such authorities are not provided to or through any individual or group that the management of the foundation or similar entity knows or has reason to believe, advocates, plans, sponsors, or otherwise engages in terrorist activities: Provided further, That section 530 of this Act shall apply to any such foundation or similar entity established pursuant to this subsection: Provided further, That the authority of the Foundation, or any similar entity, to provide assistance shall cease to be effective on September 30, 2010.

(l) EXTENSION OF AUTHORITY.—(1) Section 21(h)(1)(A) of the Arms Export Control Act (22 U.S.C. 2761(h)(1)(A)) is amended by inserting after "North Atlantic Treaty Organization" the following: "or the Governments of Australia, New Zealand, Japan, or Israel".

(2) Section 21(h)(2) of the Arms Export Control Act (22 U.S.C. 2761(h)(2)) is amended by striking "or to any member government that Organization if that Organization or member government" and inserting the following: ", to any member of that Organization, or to the Governments of Australia, New Zealand, Japan, or Israel if that Organization, member government, or the Governments of Australia, New Zealand, Japan, or Israel".

(3) Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended—

(A) in the first sentence, by striking "The President" and inserting "(a) The President"; and

(B) by adding at the end the following new subsection:



“(b) The President shall seek reimbursement for military education and training furnished under this chapter from countries using assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763, relating to the Foreign Military Financing Program) to purchase such military education and training at a rate comparable to the rate charged to countries receiving grant assistance for military education and training under this chapter.”.

(m) **EXTENSION OF AUTHORITY.**—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking “and 2005” and inserting “2005, and 2006”; and

(B) in subsection (e), by striking “2005” each place it appears and inserting “2006”; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking “2005” and inserting “2006”.

#### ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

#### ELIGIBILITY FOR ASSISTANCE

SEC. 536. (a) **ASSISTANCE THROUGH NON-GOVERNMENTAL ORGANIZATIONS.**—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading “Assistance for Eastern Europe and the Baltic States”: Provided, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: Provided further, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) **PUBLIC LAW 480.**—During fiscal year 2006, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: Provided, That none of the funds appropriated to carry out title I of such Act and

made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) **EXCEPTION.**—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

#### RESERVATIONS OF FUNDS

SEC. 537. (a) Funds appropriated by this Act which are earmarked may be reprogrammed for other programs within the same account notwithstanding the earmark if compliance with the earmark is made impossible by operation of any provision of this or any other Act: Provided, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are earmarked for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such earmarked funds can be obligated during the original period of availability: Provided, That such earmarked funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such earmark.

#### CEILINGS AND EARMARKS

SEC. 538. Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

#### PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 539. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: Provided, That not to exceed \$25,000 may be made available to carry out the provisions of section 316 of Public Law 96-533.

#### PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 540. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

#### NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

**PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM**

SEC. 542. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act of 1979. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

#### WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES

SEC. 543. (a) Subject to subsection (c), of the funds appropriated by this Act that are made available for assistance for a foreign country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance for the central government of such country until the Secretary of State submits a certification to the appropriate congressional committees stating that such parking fines and penalties and unpaid property taxes are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the appropriate congressional committees, provided that no such funds shall be made available for assistance for the central government of a foreign country that has not paid the total amount of the fully adjudicated parking fines and penalties and unpaid property taxes owed by such country.

(c) Subsection (a) shall not include amounts that have been withheld under any other provision of law.

(d)(1) The Secretary of State may waive the requirements set forth in subsection (a) with respect to parking fines and penalties no sooner than 60 days from the date of enactment of this Act, or at any time with respect to a particular country, if the Secretary determines that it is in the national interests of the United States to do so.

(2) The Secretary of State may waive the requirements set forth in subsection (a) with respect to the unpaid property taxes if the Secretary of State determines that it is in the national interests of the United States to do so.

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties and unpaid property taxes and interest owed by nations receiving foreign assistance under this Act.

(f) In this section:



(1) The term “appropriate congressional committees” means the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(2) The term “fully adjudicated” includes circumstances in which the person to whom the vehicle is registered—

(A)(i) has not responded to the parking violation summons; or

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

(B) the period of time for payment of or challenge to the summons has lapsed.

(3) The term “parking fines and penalties” means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

(B) incurred during the period April 1, 1997, through September 30, 2005.

(4) The term “unpaid property taxes” means the amount of unpaid taxes and interest determined to be owed by a foreign country on real property in the District of Columbia or New York, New York in a court order or judgment entered against such country by a court of the United States or any State or subdivision thereof.

#### LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 544. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: Provided, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

#### WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 545. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: Provided, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): Provided further, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: Provided further, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

#### LANDMINES

SEC. 546. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

#### RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 547. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel–PLO Declaration of Principles: Provided, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: Provided further, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel–PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

#### PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 548. None of the funds appropriated or otherwise made available by this Act under the heading “International Military Education and Training” or “Foreign Military Financing Program” for Informational Program activities or under the headings “Child Survival and Health Programs Fund”, “Development Assistance”, and “Economic Support Fund” may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

#### HAITI

SEC. 549. (a) Of the funds appropriated by this Act, the following amounts shall be made available for assistance for Haiti—

(1) \$20,000,000 from “Child Survival and Health Programs Fund”;

(2) \$30,000,000 from “Development Assistance”;

(3) \$50,000,000 from “Economic Support Fund”;

(4) \$15,000,000 from “International Narcotics Control and Law Enforcement”;

(5) \$1,000,000 from “Foreign Military Financing Program”; and

(6) \$215,000 from “International Military Education and Training”.

(b) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

(c) None of the funds made available in this Act under the heading “International Narcotics Control and Law Enforcement” may be used to transfer excess weapons, ammunition or other lethal property of an agency of the United States Government to the Government of Haiti for use by the Haitian National Police until the Secretary of State certifies to the Committees on Appropriations that: (1) the United Nations Mission in Haiti (MINUSTAH) has carried out the vetting of the senior levels of the Haitian National Police and has ensured that those credibly alleged to have committed serious crimes, including drug trafficking and human rights violations, have been suspended; and (2) the Transitional Haitian National Government is cooperating in a reform and restructuring plan for the Haitian National Police and the reform of the judicial system as called for in United Nations Security Council Resolution 1608 adopted on June 22, 2005.

#### LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 550. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure. The report shall also include a description of how funds will be spent and the accounting procedures in place to ensure that they are properly disbursed.

#### LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 551. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: Provided, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: Provided further, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

#### FOREIGN MILITARY TRAINING REPORT

SEC. 552. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations of the House of Representatives and the Senate by the date specified in that section.

#### AUTHORIZATION REQUIREMENT

SEC. 553. Funds appropriated by this Act, except funds appropriated under the headings “Trade and Development Agency”, “Overseas Private Investment Corporation”, and “Global HIV/AIDS Initiative”, may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

#### CAMBODIA

SEC. 554. (a)(1) None of the funds appropriated by this Act may be made available for assistance for the Central Government of Cambodia.

(2) Paragraph (1) shall not apply to assistance for basic education, reproductive and maternal and child health, cultural and historic preservation, programs for the prevention, treatment, and control of, and research on, HIV/AIDS, tuberculosis, malaria, polio and other infectious diseases, development and implementation of legislation and implementation of procedures on inter-country adoptions consistent with international standards, rule of law programs, counternarcotics programs, programs to combat

human trafficking that are provided through nongovernmental organizations, anti-corruption programs, and for the Ministry of Women and Veterans Affairs to combat human trafficking.

(b) Notwithstanding any provision of this or any other Act, of the funds appropriated by this Act under the heading "Economic Support Fund", \$15,000,000 shall be made available for activities to support democracy, the rule of law, and human rights, including assistance for democratic political parties in Cambodia.

(c) Funds appropriated by this Act to carry out provisions of section 541 of the Foreign Assistance Act of 1961 may be made available notwithstanding subsection (a).

#### PALESTINIAN STATEHOOD

SEC. 555. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

(2) the elected governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures;

(C) is establishing a new Palestinian security entity that is cooperative with appropriate Israeli and other appropriate security organizations; and

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the newly-elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is vital to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or a newly-elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 550 of this Act ("Limitation on Assistance to the Palestinian Authority").

#### COLOMBIA

SEC. 556. (a) DETERMINATION AND CERTIFICATION REQUIRED.—Funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) Up to 12.5 percent of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank who, according to the Minister of Defense or the Procuraduría General de la Nación, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations.

(B) The Colombian Government is vigorously investigating and prosecuting those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is promptly punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations.

(C) The Colombian Armed Forces have made substantial progress in cooperating with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have made substantial progress in severing links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with paramilitary organizations, especially in regions where these organizations have a significant presence.

(E) The Colombian Government is dismantling paramilitary leadership and financial networks by arresting commanders and financial backers, especially in regions where these networks have a significant presence.

(F) The Colombian Government is taking effective steps to ensure that the Colombian Armed Forces are not violating the land and property rights of Colombia's indigenous communities.

(3) The balance of such funds may be obligated after July 31, 2006, if the Secretary of State certifies and reports to the appropriate congressional committees, after such date, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.

(b) CONGRESSIONAL NOTIFICATION.—Funds made available by this Act for the Colombian Armed Forces shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2007, the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in subsection (a).

(d) DEFINITIONS.—In this section:

(1) AIDED OR ABETTED.—The term "aided or abetted" means to provide any support to paramilitary groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) PARAMILITARY GROUPS.—The term "paramilitary groups" means illegal self-defense groups and illegal security cooperatives.

#### ILLEGAL ARMED GROUPS

SEC. 557. (a) DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to subsection (b), the Secretary of State

shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

#### PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 558. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

#### WEST BANK AND GAZA PROGRAM

SEC. 559. (a) OVERSIGHT.—For fiscal year 2006, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the Program funded under the heading "Economic Support Fund" for the West Bank and Gaza.

(b) VETTING.—Prior to the obligation of funds appropriated by this Act under the heading "Economic Support Fund" for assistance for the West Bank and Gaza, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary of State shall, as appropriate, establish procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which he has determined to be involved in or advocating terrorist activity.

(c) PROHIBITION.—None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(d) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant sub-contractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act under the heading "Economic Support Fund" that are made available for assistance for the West Bank and Gaza, up to \$1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection. Such funds are in addition to funds otherwise available for such purposes.

(e) Subsequent to the certification specified in subsection (a), the Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses

of all funds for the bilateral West Bank and Gaza Program in fiscal year 2006 under the heading "Economic Support Fund". The audit shall address—

(1) the extent to which such Program complies with the requirements of subsections (b) and (c), and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(f) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of Public Law 109-13.

#### CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 560. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under "International Organizations and Programs" and "Child Survival and Health Programs Fund" for fiscal year 2006, \$34,000,000 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the "UNFPA"): Provided, That of this amount, not less than \$22,500,000 shall be derived from funds appropriated under the heading "International Organizations and Programs".

(b) AVAILABILITY OF FUNDS.—Funds appropriated under the heading "International Organizations and Programs" in this Act that are available for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to "Child Survival and Health Programs Fund" and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under "International Organizations and Programs" may be made available for the UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under "International Organizations and Programs" for fiscal year 2006 for the UNFPA may not be made available to UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

#### WAR CRIMINALS

SEC. 561. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the "Tribunal") all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and wit-

nesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance directly supports the implementation of the Dayton Accords.

(f) DEFINITIONS.—As used in this section:

(1) COUNTRY.—The term "country" means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term "entity" refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(3) MUNICIPALITY.—The term "municipality" means a city, town or other subdivision within a country or entity as defined herein.

(4) DAYTON ACCORDS.—The term "Dayton Accords" means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

#### USER FEES

SEC. 562. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

#### FUNDING FOR SERBIA

SEC. 563. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2006, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2006, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of Serbia and Montenegro subject to the conditions in subsection (c): Provided, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Government of Serbia and Montenegro through international financial institutions.

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of Serbia and Montenegro is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension, including Ratko Mladic and Radovan Karadzic, unless the Secretary of State determines and reports to the Committees on Appropriations that these individuals are no longer residing in Serbia;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) This section shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy.

#### COMMUNITY-BASED POLICE ASSISTANCE

SEC. 564. (a) AUTHORITY.—Funds made available by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

#### SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 565. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89-808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95-501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to the funds appropriated by this Act under the heading “Debt Restructuring”.

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

#### AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 566. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of

engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading “Debt Restructuring”.

#### BASIC EDUCATION

SEC. 567. Of the funds appropriated by title II of this Act, not less than \$465,000,000 shall be made available for basic education, of which not less than \$250,000 shall be provided to the Comptroller General of the United States to prepare an analysis of United States funded international basic education programs, which should be submitted to the Committees on Appropriations by May 1, 2006.

#### RECONCILIATION PROGRAMS

SEC. 568. Of the funds appropriated under the heading “Economic Support Fund”, not less than \$15,000,000 should be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

#### SUDAN

SEC. 569. (a) AVAILABILITY OF FUNDS.—Of the funds appropriated under the heading “Development Assistance” up to \$70,000,000 may be made available for assistance for Sudan, of which not to exceed \$6,000,000 may be made available for administrative expenses of the United States Agency for International Development associated with assistance programs for Sudan.

(b) LIMITATION ON ASSISTANCE.—Subject to subsection (c):

(1) Notwithstanding section 501(a) of the International Malaria Control Act of 2000 (Public Law 106–570) or any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502, of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(c) Subsection (b) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that—

(1) the Government of Sudan has taken significant steps to disarm and disband government-supported militia groups in the Darfur region;

(2) the Government of Sudan and all government-supported militia groups are honoring their commitments made in the cease-fire agreement of April 8, 2004; and

(3) the Government of Sudan is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, including protection officers, and an international monitoring team that is based in Darfur and that has the support of the United States.

(d) EXCEPTIONS.—The provisions of subsection (b) shall not apply to—

(1) humanitarian assistance;

(2) assistance for Darfur and for areas outside the control of the Government of Sudan; and

(3) assistance to support implementation of the Comprehensive Peace Agreement.

(e) DEFINITIONS.—For the purposes of this Act and section 501 of Public Law 106–570, the terms

“Government of Sudan”, “areas outside of control of the Government of Sudan”, and “area in Sudan outside of control of the Government of Sudan” shall have the same meaning and application as was the case immediately prior to June 5, 2004, and, Southern Kordofan/Nuba Mountains State, Blue Nile State and Abyei shall be deemed “areas outside of control of the Government of Sudan”.

#### TRADE CAPACITY BUILDING

SEC. 570. Of the funds appropriated by this Act, under the headings “Trade and Development Agency”, “Development Assistance”, “Transition Initiatives”, “Economic Support Fund”, “International Affairs Technical Assistance”, and “International Organizations and Programs”, not less than \$522,000,000 should be made available for trade capacity building assistance: Provided, That \$20,000,000 of the funds appropriated in this Act under the heading “Economic Support Fund” shall be made available for labor and environmental capacity building activities relating to the free trade agreement with the countries of Central America and the Dominican Republic.

#### EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

SEC. 571. Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2006, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Afghanistan, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Iraq, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

#### ZIMBABWE

SEC. 572. The Secretary of the Treasury shall instruct the United States executive director to each international financial institution to vote against any extension by the respective institution of any loans to the Government of Zimbabwe, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and certifies to the Committees on Appropriations that the rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech and association.

#### GENDER-BASED VIOLENCE

SEC. 573. Programs funded under titles II and III of this Act that provide training for foreign police, judicial, and military officials, shall include, where appropriate, programs and activities that address gender-based violence.

#### LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE PARTIES TO THE INTERNATIONAL CRIMINAL COURT

SEC. 574. (a) None of the funds made available in this Act in title II under the heading “Economic Support Fund” may be used to provide assistance to the government of a country that is a party to the International Criminal Court and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(b) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a North Atlantic Treaty Organization (“NATO”) member country, a major non-NATO ally (including Australia, Egypt, Israel, Japan, Jordan, Argentina, the Republic of Korea, and New Zealand), Taiwan, or such other country as he may determine if he determines and reports to the appropriate congressional committees that it is important to the national interests of the United States to waive such prohibition.

(c) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a particular country if he determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(d) The prohibition of this section shall not apply to countries otherwise eligible for assistance under the Millennium Challenge Act of 2003, notwithstanding section 606(a)(2)(B) of such Act.

(e) Funds appropriated for fiscal year 2005 under the heading "Economic Support Fund" may be made available for democracy and rule of law programs and activities, notwithstanding the provisions of section 574 of division D of Public Law 108-447.

#### TIBET

SEC. 575. (a) The Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(b) Notwithstanding any other provision of law, not less than \$4,000,000 of the funds appropriated by this Act under the heading "Economic Support Fund" should be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China, and not less than \$250,000 should be made available to the National Endowment for Democracy for human rights and democracy programs relating to Tibet.

#### CENTRAL AMERICA

SEC. 576. (a) Of the funds appropriated by this Act under the headings "Child Survival and Health Programs Fund" and "Development Assistance", not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2005 should be made available for El Salvador, Guatemala, Nicaragua and Honduras.

(b) In addition to the amounts requested under the heading "Economic Support Fund" for assistance for Nicaragua and Guatemala in fiscal year 2006, not less than \$1,500,000 should be made available for electoral assistance, media and civil society programs, and activities to combat corruption and strengthen democracy in Nicaragua, and not less than \$1,500,000 should be made available for programs and activities to combat organized crime, crimes of violence specifically targeting women, and corruption in Guatemala.

(c) Funds made available pursuant to subsection (b) shall be subject to prior consultation with the Committees on Appropriations.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 577. (a) AUTHORITY.—Up to \$75,000,000 of the funds made available in this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

#### (b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2008.

(c) CONDITIONS.—The authority of subsection (a) may only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other nondirect-hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", are eliminated.

(d) PRIORITY SECTORS.—In exercising the authority of this section, primary emphasis shall be placed on enabling USAID to meet personnel positions in technical skill areas currently encumbered by contractor or other nondirect-hire personnel.

(e) CONSULTATIONS.—The USAID Administrator shall consult with the Committees on Appropriations at least on a quarterly basis concerning the implementation of this section.

(f) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate. Funds made available to carry out this section may be transferred to and merged and consolidated with funds appropriated for "Operating Expenses of the United States Agency for International Development".

(g) MANAGEMENT REFORM PILOT.—Of the funds made available in subsection (a), USAID may use, in addition to funds otherwise available for such purposes, up to \$10,000,000 to fund overseas support costs of members of the Foreign Service with a Foreign Service rank of four or below: Provided, That such authority is only used to reduce USAID's reliance on overseas personal services contractors or other nondirect-hire employees compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States".

(h) DISASTER SURGE CAPACITY.—Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs in response to natural disasters.

#### HIPC DEBT REDUCTION

SEC. 578. Section 501(b) of H.R. 3425, as enacted into law by section 1000(a)(5) of division B of Public Law 106-113 (113 Stat. 1501A-311), is amended by adding at the end the following new paragraph:

"(5) The Act of March 11, 1941 (chapter 11; 55 Stat. 31; 22 U.S.C. 411 et seq.; commonly known as the 'Lend-Lease Act')."

#### OPIC TRANSFER AUTHORITY

##### (INCLUDING TRANSFER OF FUNDS)

SEC. 579. Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of \$20,000,000 of the funds appropriated under title II of this Act may be transferred to and merged with funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: Provided, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: Provided further, That funds earmarked by this Act shall not be transferred pur-

suant to this section: Provided further, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

#### LIMITATION ON FUNDS RELATING TO ATTENDANCE OF FEDERAL EMPLOYEES AT CONFERENCES OCCURRING OUTSIDE THE UNITED STATES

SEC. 580. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest: Provided, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and representatives of foreign governments, international organizations, or nongovernmental organizations.

#### LIMITATION ON ASSISTANCE TO FOREIGN COUNTRIES THAT REFUSE TO EXTRADITE TO THE UNITED STATES ANY INDIVIDUAL ACCUSED IN THE UNITED STATES OF KILLING A LAW ENFORCEMENT OFFICER

SEC. 581. None of the funds made available in this Act for the Department of State may be used to provide assistance to the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted in the United States for killing a law enforcement officer, as specified in a United States extradition request, unless the Secretary of State certifies to the Committees on Appropriations in writing that the application of the restriction to a country or countries is contrary to the national interest of the United States.

#### PROHIBITION AGAINST DIRECT FUNDING FOR SAUDI ARABIA

SEC. 582. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance any assistance to Saudi Arabia: Provided, That the President may waive the prohibition of this section if he certifies to the Committees on Appropriations, 15 days prior to the obligation of funds for assistance for Saudi Arabia, that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort.

#### GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN EXTRADITIONS

SEC. 583. None of the funds made available in this Act for the Department of State, other than funds provided under the heading "International Narcotics Control and Law Enforcement", may be used to provide assistance to the central government of a country with which the United States has an extradition treaty and which government has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole, unless the Secretary of State certifies to the Committees on Appropriations in writing that the application of this restriction to a country or countries is contrary to the national interest of the United States.

#### REPORTING REQUIREMENT

SEC. 584. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2006, and for each fiscal quarter, a report in writing on the uses of funds made available under the headings "Foreign Military Financing Program", "International Military Education and Training", and "Peacekeeping Operations": Provided, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of the assistance provided by such funds.

## ENVIRONMENT PROGRAMS

SEC. 585. (a) FUNDING.—Of the funds appropriated under the heading “Development Assistance”, not less than \$165,500,000 shall be made available for programs and activities which directly protect biodiversity, including forests, in developing countries, of which not less than \$10,000,000 should be made available to implement the United States Agency for International Development’s biodiversity conservation strategy for the Amazon basin, which amount shall be in addition to the amounts requested for biodiversity activities in these countries in fiscal year 2006: Provided, That of the funds appropriated by this Act, not less than \$17,500,000 should be made available for the Congo Basin Forest Partnership of which not less than \$2,500,000 should be made available to the United States Fish and Wildlife Service for the protection of great apes in Central Africa: Provided further, That of the funds appropriated by this Act, not less than \$180,000,000 shall be made available to support clean energy and other climate change policies and programs in developing countries, of which \$100,000,000 should be made available to directly promote and deploy energy conservation, energy efficiency, and renewable and clean energy technologies, and of which the balance should be made available to directly: (1) measure, monitor, and reduce greenhouse gas emissions; (2) increase carbon sequestration activities; and (3) enhance climate change mitigation and adaptation programs.

(b) CLIMATE CHANGE REPORT.—Not later than 60 days after the date on which the President’s fiscal year 2007 budget request is submitted to Congress, the President shall submit a report to the Committees on Appropriations describing in detail the following—

(1) all Federal agency obligations and expenditures, domestic and international, for climate change programs and activities in fiscal year 2006, including an accounting of expenditures by agency with each agency identifying climate change activities and associated costs by line item as presented in the President’s Budget Appendix; and

(2) all fiscal year 2005 obligations and estimated expenditures, fiscal year 2006 estimated expenditures and estimated obligations, and fiscal year 2007 requested funds by the United States Agency for International Development, by country and central program, for each of the following: (i) to promote the transfer and deployment of a wide range of United States clean energy and energy efficiency technologies; (ii) to assist in the measurement, monitoring, reporting, verification, and reduction of greenhouse gas emissions; (iii) to promote carbon capture and sequestration measures; (iv) to help meet such countries’ responsibilities under the Framework Convention on Climate Change; and (v) to develop assessments of the vulnerability to impacts of climate change and mitigation and adaptation response strategies.

## (c) EXTRACTION OF NATURAL RESOURCES.—

(1) The Secretary of the Treasury shall inform the managements of the international financial institutions and the public that it is the policy of the United States that any assistance by such institutions (including but not limited to any loan, credit, grant, or guarantee) for the extraction and export of oil, gas, coal, timber, or other natural resource should not be provided unless the government of the country has in place or is taking the necessary steps to establish functioning systems for: (A) accurately accounting for revenues and expenditures in connection with the extraction and export of the type of natural resource to be extracted or exported; (B) the independent auditing of such accounts and the widespread public dissemination of the audits; and (C) verifying government receipts against company payments including widespread dissemination of such payment information, and disclosing such documents as Host Government Agreements, Concession Agree-

ments, and bidding documents, allowing in any such dissemination or disclosure for the redaction of, or exceptions for, information that is commercially proprietary or that would create competitive disadvantage.

(2) Not later than 180 days after the enactment of this Act, the Secretary of the Treasury shall submit a report to the Committees on Appropriations describing, for each international financial institution, the amount and type of assistance provided, by country, for the extraction and export of oil, gas, coal, timber, or other national resource since September 30, 2005.

## UZBEKISTAN

SEC. 586. Assistance may be provided to the central Government of Uzbekistan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Uzbekistan is making substantial and continuing progress in meeting its commitments under the “Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America”, including respect for human rights, establishing a genuine multi-party system, and ensuring free and fair elections, freedom of expression, and the independence of the media, and that a credible international investigation of the May 31, 2005, shootings in Andijan is underway with the support of the Government of Uzbekistan: Provided, That for the purposes of this section “assistance” shall include excess defense articles.

## CENTRAL ASIA

SEC. 587. (a) Funds appropriated by this Act may be made available for assistance for the Government of Kazakhstan only if the Secretary of State determines and reports to the Committees on Appropriations that the Government of Kazakhstan has made significant improvements in the protection of human rights during the preceding 6 month period.

(b) The Secretary of State may waive subsection (a) if he determines and reports to the Committees on Appropriations that such a waiver is important to the national security of the United States.

(c) Not later than October 1, 2006, the Secretary of State shall submit a report to the Committees on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives describing the following:

(1) The defense articles, defense services, and financial assistance provided by the United States to the countries of Central Asia during the 6-month period ending 30 days prior to submission of such report.

(2) The use during such period of defense articles, defense services, and financial assistance provided by the United States by units of the armed forces, border guards, or other security forces of such countries.

(d) Prior to the initial obligation of assistance for the Government of Kyrgyzstan, the Secretary of State shall submit a report to the Committees on Appropriations describing (1) whether the Government of Kyrgyzstan is forcibly returning Uzbeks who have fled violence and political persecution, in violation of the 1951 Geneva Convention relating to the status of refugees, and the Convention Against Torture and Other Forms of Cruel, Inhuman, or Degrading Treatment; (2) efforts made by the United States to prevent such returns; and (3) the response of the Government of Kyrgyzstan.

(e) For purposes of this section, the term “countries of Central Asia” means Uzbekistan, Kazakhstan, Kyrgyz Republic, Tajikistan, and Turkmenistan.

## DISABILITY PROGRAMS

SEC. 588. (a) Of the funds appropriated by this Act under the heading “Economic Support Fund”, not less than \$4,000,000 shall be made available for programs and activities administered by the United States Agency for International Development (USAID) to address the

needs and protect the rights of people with disabilities in developing countries.

(b) Funds appropriated under the heading “Operating Expenses of the United States Agency for International Development” shall be made available to develop and implement training for staff in overseas USAID missions to promote the full inclusion and equal participation of people with disabilities in developing countries.

(c) The Secretary of State, the Secretary of the Treasury, and the Administrator of USAID shall seek to ensure that, where appropriate, construction projects funded by this Act are accessible to people with disabilities and in compliance with the USAID Policy on Standards for Accessibility for the Disabled, or other similar accessibility standards.

(d) Of the funds made available pursuant to subsection (a), not more than 7 percent may be for management, oversight and technical support.

(e) Not later than 180 days after the date of enactment of this Act, and 180 days thereafter, the Administrator of USAID shall submit a report describing the programs, activities, and organizations funded pursuant to this section.

## DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN THE RUSSIAN FEDERATION

SEC. 589. None of the funds appropriated for assistance under this Act may be made available for the Government of the Russian Federation, after 180 days from the date of the enactment of this Act, unless the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation has implemented no statute, Executive order, regulation or similar government action that would discriminate, or which has as its principal effect discrimination, against religious groups or religious communities in the Russian Federation in violation of accepted international agreements on human rights and religious freedoms to which the Russian Federation is a party.

## WAR CRIMES IN AFRICA

SEC. 590. (a) The Congress reaffirms its support for the efforts of the International Criminal Tribunal for Rwanda (ICTR) and the Special Court for Sierra Leone (SCSL) to bring to justice individuals responsible for war crimes and crimes against humanity in a timely manner.

(b) Funds appropriated by this Act, including funds for debt restructuring, may be made available for assistance to the central government of a country in which individuals indicted by ICTR and SCSL are credibly alleged to be living, if the Secretary of State determines and reports to the Committees on Appropriations that such government is cooperating with ICTR and SCSL, including the surrender and transfer of indictees in a timely manner: Provided, That this subsection shall not apply to assistance provided under section 551 of the Foreign Assistance Act of 1961 or to project assistance under title II of this Act: Provided further, That the United States shall use its voice and vote in the United Nations Security Council to fully support efforts by ICTR and SCSL to bring to justice individuals indicted by such tribunals in a timely manner.

(c) The prohibition in subsection (b) may be waived on a country by country basis if the President determines that doing so is in the national security interest of the United States: Provided, That prior to exercising such waiver authority, the President shall submit a report to the Committees on Appropriations, in classified form if necessary, on: (1) the steps being taken to obtain the cooperation of the government in surrendering the indictee in question to the court of jurisdiction; (2) a strategy, including a timeline, for bringing the indictee before such court; and (3) the justification for exercising the waiver authority.

(d) Notwithstanding subsections (b) and (c), assistance may be made available for the central



Government of Nigeria after 120 days following enactment of this Act only if the President submits a report to the Committees on Appropriations, in classified form if necessary, on: (1) the steps taken in fiscal years 2003, 2004 and 2005 to obtain the cooperation of the Government of Nigeria in surrendering Charles Taylor to the SCSL; and (2) a strategy, including a timeline, for bringing Charles Taylor before the SCSL.

#### SECURITY IN ASIA

SEC. 591. (a) Of the funds appropriated under the heading "Foreign Military Financing Program", not less than the following amounts shall be made available to enhance security in Asia, consistent with democratic principles and the rule of law—

(1) \$30,000,000 for assistance for the Philippines;

- (2) \$1,000,000 for assistance for Indonesia;
- (3) \$1,000,000 for assistance for Bangladesh;
- (4) \$3,000,000 for assistance for Mongolia;
- (5) \$1,500,000 for assistance for Thailand;
- (6) \$1,000,000 for assistance for Sri Lanka;
- (7) \$1,000,000 for assistance for Cambodia;
- (8) \$500,000 for assistance for Fiji; and
- (9) \$250,000 for assistance for Tonga.

(b) In addition to amounts appropriated elsewhere in this Act, \$10,000,000 is hereby appropriated for "Foreign Military Financing Program": Provided, That these funds shall be available only to assist the Philippines in addressing the critical deficiencies identified in the Joint Defense Assessment of 2003.

(c) Funds made available for assistance for Indonesia pursuant to subsection (a) may only be made available for the Indonesian Navy, notwithstanding section 599F of this Act: Provided, That such funds shall only be made available subject to the regular notification procedures of the Committees on Appropriations.

(d) Funds made available for assistance for Cambodia pursuant to subsection (a) shall be made available notwithstanding section 554 of this Act: Provided, That such funds shall only be made available subject to the regular notification procedures of the Committees on Appropriations.

#### NEPAL

SEC. 592. (a) Funds appropriated under the heading "Foreign Military Financing Program" may be made available for assistance for Nepal only if the Secretary of State certifies to the Committees on Appropriations that the Government of Nepal, including its security forces, has restored civil liberties, is protecting human rights, and has demonstrated, through dialogue with Nepal's political parties, a commitment to a clear timetable to restore multi-party democratic government consistent with the 1990 Nepalese Constitution.

(b) The Secretary of State may waive the requirements of this section if the Secretary certifies to the Committees on Appropriations that to do so is in the national security interests of the United States.

#### NEGLECTED DISEASES

SEC. 593. Of the funds appropriated under the heading "Child Survival and Health Programs Fund", not less than \$15,000,000 shall be made available to support an integrated response to the control of neglected diseases including intestinal parasites, schistosomiasis, lymphatic filariasis, onchocerciasis, trachoma and leprosy: Provided, That the Administrator of the United States Agency for International Development shall consult with the Committees on Appropriations, representatives from the relevant international technical and nongovernmental organizations addressing the specific diseases, recipient countries, donor countries, the private sector, UNICEF and the World Health Organization (1) on the most effective uses of such funds to demonstrate the health and economic benefits of such an approach, and (2) to develop a multilateral, integrated initiative to control these diseases that will enhance coordination and effectiveness and maximize the leverage of United

States contributions with those of other donors: Provided further, That funds made available pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

#### ORPHANS, DISPLACED AND ABANDONED CHILDREN

SEC. 594. Of the funds appropriated under title II of this Act, not less than \$3,000,000 should be made available for activities to improve the capacity of foreign government agencies and nongovernmental organizations to prevent child abandonment, address the needs of orphans, displaced and abandoned children and provide permanent homes through family reunification, guardianship and domestic adoptions: Provided, That funds made available under title II of this Act should be made available, as appropriate, consistent with—

(1) the goal of enabling children to remain in the care of their family of origin, but when not possible, placing children in permanent homes through adoption;

(2) the principle that such placements should be based on informed consent which has not been induced by payment or compensation;

(3) the view that long-term foster care or institutionalization are not permanent options and should be used when no other suitable permanent options are available; and

(4) the recognition that programs that protect and support families can reduce the abandonment and exploitation of children.

#### ADVISOR FOR INDIGENOUS PEOPLES ISSUES

SEC. 595. (a) After consultation with the Committees on Appropriations and not later than 120 days after enactment of this Act, the Administrator of the United States Agency for International Development shall designate an "Advisor for Indigenous Peoples Issues" whose responsibilities shall include—

(1) consulting with representatives of indigenous peoples organizations;

(2) ensuring that the rights and needs of indigenous peoples are being respected and addressed in United States Agency for International Development policies, programs and activities;

(3) monitoring the design and implementation of United States Agency for International Development policies, programs and activities which affect indigenous peoples; and

(4) coordinating with other Federal agencies on relevant issues relating to indigenous peoples.

#### STATEMENT

SEC. 596. (a) Funds provided in this Act for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the report accompanying this Act:

"Child Survival and Health Programs Fund".

"Economic Support Fund".

"Assistance for Eastern Europe and the Baltic States".

"Assistance for the Independent States of the Former Soviet Union".

"Global HIV/AIDS Initiative".

"Democracy Fund".

"International Narcotics Control and Law Enforcement".

"Andean Counterdrug Initiative".

"Nonproliferation, Anti-Terrorism, Demining and Related Programs".

"Foreign Military Financing Program".

"International Organizations and Programs".

(b) Any proposed increases or decreases to the amounts contained in such tables in the accompanying report shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

#### COMBATTING PIRACY OF UNITED STATES

##### COPYRIGHTED MATERIALS

SEC. 597. (a) PROGRAM AUTHORIZED.—The Secretary of State may carry out a program of activities to combat piracy in countries that are not members of the Organization for Economic

Cooperation and Development (OECD), including activities as follows:

(1) The provision of equipment and training for law enforcement, including in the interpretation of intellectual property laws.

(2) The provision of training for judges and prosecutors, including in the interpretation of intellectual property laws.

(3) The provision of assistance in complying with obligations under applicable international treaties and agreements on copyright and intellectual property.

(b) CONSULTATION WITH WORLD INTELLECTUAL PROPERTY ORGANIZATION.—In carrying out the program authorized by subsection (a), the Secretary shall, to the maximum extent practicable, consult with and provide assistance to the World Intellectual Property Organization in order to promote the integration of countries described in subsection (a) into the global intellectual property system.

(c) FUNDING.—Of the amount appropriated or otherwise made available under the heading "International Narcotics Control and Law Enforcement", \$5,000,000 may be made available in fiscal year 2006 for the program authorized by subsection (a).

#### MALARIA

SEC. 598. Of the funds appropriated under the heading "Child Survival and Health Programs Fund", not less than \$100,000,000 should be made available for programs and activities to combat malaria: Provided, That such funds should be made available in accordance with country strategic plans incorporating best public health practices, which should include considerable support for the purchase of commodities and equipment including: (1) insecticides for indoor residual spraying that are proven to reduce the transmission of malaria; (2) pharmaceuticals that are proven effective treatments to combat malaria; (3) long-lasting insecticide-treated nets used to combat malaria; and (4) other activities to strengthen the public health capacity of malaria-affected countries: Provided further, That no later than 90 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2006, the Administrator of the United States Agency for International Development shall submit to the Committees on Appropriations a report describing in detail expenditures to combat malaria during fiscal year 2006.

#### OVERSIGHT OF IRAQ RECONSTRUCTION

SEC. 599. Subsection (o) of section 3001 of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1234; 5 U.S.C. App. 3 section 8G note), as amended by section 1203(j) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375; 118 Stat. 2081), is amended by striking "obligated" and inserting "expended".

#### NONPROLIFERATION AND COUNTERPROLIFERATION EFFORTS

SEC. 599A. Funds appropriated under title II under the heading "Nonproliferation, Anti-Terrorism, Demining and Related Programs" may be made available to the Under Secretary of State for Arms Control and International Security for use in certain nonproliferation efforts and counterproliferation efforts such as increased voluntary dues to the International Atomic Energy Agency and Proliferation Security Initiative activities.

#### PROMOTION OF POLICY GOALS AT MULTILATERAL DEVELOPMENT BANKS

SEC. 599B. Title XV of the International Financial Institutions Act (22 U.S.C. 262o, et seq.) is amended by adding at the end the following: "**SEC. 1505. PROMOTION OF POLICY GOALS.**

"(a) The Secretary of the Treasury shall instruct the United States Executive Director at each multilateral development bank to inform each such bank and the executive directors of

each such bank of the policy of the United States as set out in this section and to actively promote this policy and the goals set forth in section 1504 of this Act. It is the policy of the United States that each bank should—

“(1) require the bank’s employees, officers and consultants to make an annual disclosure of their financial interests and income and of any other potential source of conflict of interest;

“(2) link project and program design and results to management and staff performance appraisals, salaries, and bonuses;

“(3) implement voluntary disclosure programs for firms and individuals participating in projects financed by such bank;

“(4) ensure that all loan, credit, guarantee, and grant documents and other agreements with borrowers include provisions for the financial resources and conditionality necessary to ensure that a person or country that obtains financial support from a bank complies with applicable bank policies and national and international laws in carrying out the terms and conditions of such documents and agreements, including bank policies and national and international laws pertaining to the comprehensive assessment and transparency of the activities related to access to information, public health, safety, and environmental protection;

“(5) implement clear anti-corruption procedures setting forth the circumstances under which a person will be barred from receiving a loan, contract, grant, guarantee or credit from such bank, make such procedures available to the public, and make the identity of such person available to the public;

“(6) coordinate policies across multilateral development banks on issues including debarment, cross-debarment, procurement guidelines, consultant guidelines, and fiduciary standards so that a person that is debarred by one such bank is subject to a rebuttable presumption of ineligibility to conduct business with any other such bank during the specific ineligibility period;

“(7) require each bank borrower and grantee and each bidder, supplier and contractor for MDB projects to comply with the highest standard of ethics prohibiting coercive, collusive, corrupt and fraudulent practices, such as are defined in the World Bank’s Procurement Guidelines of May, 2004;

“(8) maintain a functionally independent Investigations Office, Auditor General Office and Evaluation Office that are free from interference in determining the scope of investigations (including forensic audits), internal auditing (including assessments of management controls for meeting operational objectives and complying with bank policies), performing work and communicating results, and that regularly report to such bank’s board of directors and, as appropriate and in a manner consistent with such functional independence of the Investigations Office and the Auditor General Office, to the bank’s President;

“(9) require that each candidate for adjustment or budget support loans demonstrate transparent budgetary and procurement processes including budget publication and public scrutiny prior to loan or grant approval;

“(10) require that for each project where compensation is to be provided to persons adversely affected by the project, such persons have recourse to an impartial and responsive mechanism to receive and resolve complaints. The mechanism should be easily accessible to all segments of the affected community without impeding access to other judicial or administrative remedies and without retribution;

“(11) implement best practices in domestic laws and international conventions against corruption for whistleblower and witness disclosures and protections against retaliation for internal and lawful public disclosures by the bank’s employees and others affected by such bank’s operations who challenge illegality or other misconduct that could threaten the bank’s mission, including (1) best practices for legal

burdens of proof, (2) access to independent adjudicative bodies, including external arbitration based on consensus selection and shared costs, and (3) results that eliminate the effects of proven retaliation; and

“(12) require, to the maximum extent possible, that all draft country strategies are issued for public consideration no less than 45 days before the country strategy is considered by the multilateral development bank board of directors.

“(b) The Secretary of the Treasury shall, beginning thirty days after the enactment of this Act and within sixty calendar days of the meeting of the respective bank’s Board of Directors at which such decisions are made, publish on the Department of the Treasury website a statement or explanation of the United States position on decisions related to (1) operational policies; and (2) any proposal which would result or be likely to result in a significant effect on the environment.

“(c) In this section the term ‘multilateral development bank’ has the meaning given that term in section 1307 of the International Financial Institutions Act (22 U.S.C. 262m-7) and also includes the European Bank for Reconstruction and Development and the Global Environment Facility.”

#### AUTHORIZATIONS

SEC. 599C. (a) To authorize the United States participation in and appropriations for the United States contribution to the fourteenth replenishment of the resources of the International Development Association, the International Development Association Act, Public Law 86-565, as amended (22 U.S.C. 284, et seq.), is further amended by adding at the end thereof the following new section:

##### “SEC. 23. FOURTEENTH REPLENISHMENT.

“(a) The United States Governor of the International Development Association is authorized to contribute on behalf of the United States \$2,850,000,000 to the fourteenth replenishment of the resources of the Association, subject to obtaining the necessary appropriations.

“(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$2,850,000,000 for payment by the Secretary of the Treasury.”

(b) To authorize the United States participation in and appropriations for the United States contribution to the tenth replenishment of the resources of the African Development Fund, the African Development Fund Act, Public Law 94-302, as amended (22 U.S.C. 290g, et seq.), is further amended by adding at the end thereof the following new section:

##### “SEC. 218. TENTH REPLENISHMENT.

“(a) The United States Governor of the Fund is authorized to contribute on behalf of the United States \$407,000,000 to the tenth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

“(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$407,000,000 for payment by the Secretary of the Treasury.”

(c) To authorize the United States participation in and appropriations for the United States contribution to the eighth replenishment of the resources of the Asian Development Fund, the Asian Development Fund Act, Public Law 92-245, as amended (22 U.S.C. 285, et seq.), is further amended by adding at the end thereof the following new section:

##### “SEC. 32. EIGHTH REPLENISHMENT.

“(a) The United States Governor of the Bank is authorized to contribute on behalf of the United States \$461,000,000 to the eighth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

“(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$461,000,000 for payment by the Secretary of the Treasury.”

#### ANTICORRUPTION PROVISIONS

SEC. 599D. Twenty percent of the funds appropriated by this Act under the heading “International Development Association”, shall be withheld from disbursement until the Secretary of the Treasury certifies to the appropriate congressional committees that—

(1) World Bank procurement guidelines are applied to all procurement financed in whole or in part by a loan from the International Bank for Reconstruction and Development (IBRD) or a credit agreement or grant from the International Development Association (IDA);

(2) the World Bank proposal “Increasing the Use of Country Systems in Procurement” dated March 2005 has been withdrawn;

(3) the World Bank is maintaining a strong central procurement office staffed with senior experts who are designated to address commercial concerns, questions, and complaints regarding procurement procedures and payments under IDA and IBRD projects;

(4) thresholds for international competitive bidding are established to maximize international competitive bidding in accordance with sound procurement practices, including transparency, competition, and cost-effective results for the Borrowers;

(5) all tenders under the World Bank’s national competitive bidding provisions are subject to the same advertisement requirements as tenders under international competitive bidding; and

(6) loan agreements are made public between the World Bank and the Borrowers.

#### ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT OF FORMER IRREGULAR COMBATANTS IN COLOMBIA

SEC. 599E. (a) AVAILABILITY OF FUNDS.—Of the funds appropriated in this Act, up to \$20,000,000 may be made available in fiscal year 2006 for assistance for the demobilization and disarmament of former members of foreign terrorist organizations (FTOs) in Colombia, specifically the United Self-Defense Forces of Colombia (AUC), the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), if the Secretary of State makes a certification described in subsection (b) to the appropriate congressional committees prior to the initial obligation of amounts for such assistance for the fiscal year involved.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) assistance for the fiscal year will be provided only for individuals who have (A) verifiably renounced and terminated any affiliation or involvement with FTOs or other illegal armed groups, and (B) are meeting all the requirements of the Colombia Demobilization Program, including having disclosed their involvement in past crimes and their knowledge of the FTO’s structure, financing sources, illegal assets, and the location of kidnapping victims and bodies of the disappeared;

(2) the Government of Colombia is providing full cooperation to the Government of the United States to extradite the leaders and members of the FTOs who have been indicted in the United States for murder, kidnapping, narcotics trafficking, and other violations of United States law;

(3) the Government of Colombia is implementing a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations; and

(4) funds shall not be made available as cash payments to individuals and are available only for activities under the following categories: verification, reintegration (including training and education), vetting, recovery of assets for reparations for victims, and investigations and prosecutions.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

(2) FOREIGN TERRORIST ORGANIZATION.—The term “foreign terrorist organization” means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

#### INDONESIA

SEC. 599F. (a) Funds appropriated by this Act under the heading “Foreign Military Financing Program” may be made available for assistance for Indonesia, and licenses may be issued for the export of lethal defense articles for the Indonesian Armed Forces, only if the Secretary of State certifies to the appropriate congressional committees that—

(1) the Indonesian Government is prosecuting and punishing, in a manner proportional to the crime, members of the Armed Forces who have been credibly alleged to have committed gross violations of human rights;

(2) at the direction of the President of Indonesia, the Armed Forces are cooperating with civilian judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere; and

(3) at the direction of the President of Indonesia, the Government of Indonesia is implementing reforms to improve civilian control of the military.

(b) The Secretary of State may waive subsection (a) if the Secretary determines and reports to the Committees on Appropriations that to do so is in the national security interests of the United States.

#### REPORT ON INDONESIAN COOPERATION

SEC. 599G. Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations that describes—

(1) the status of the investigation of the murders of two United States citizens and one Indonesian citizen that occurred on August 31, 2002 in Timika, Indonesia, the status of any individuals indicted within the United States or Indonesia for crimes relating to those murders, and the status of judicial proceedings relating to those murders;

(2) the efforts by the Government of Indonesia to arrest individuals indicted for crimes relating to those murders and any other actions taken by the Government of Indonesia, including the Indonesian judiciary, police and Armed Forces, to bring the individuals responsible for those murders to justice; and

(3) the cooperation provided by the Government of Indonesia, including the Indonesian judiciary, police and Armed Forces, to requests related to those murders made by the Secretary of State or the Director of the Federal Bureau of Investigation.

This Act may be cited as the “Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006”.

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

JIM KOLBE,  
JERRY LEWIS,  
JOE KNOLLENBERG,  
MARK STEVEN KIRK,  
ANDER CRENSHAW,  
DON SHERWOOD,  
JOHN E. SWEENEY,  
DENNIS REHBERG,  
JOHN CARTER,  
NITA M. LOWEY,  
DAVID R. OBEY,  
JESSE L. JACKSON, JR.,  
CAROLYN C. KILPATRICK,  
STEVEN R. ROTHMAN,  
CHAKA FATTAH,

Managers on the Part of the House.

#### JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3057), “making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes”, submits the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The conference agreement incorporates some of the provisions of both the House and Senate versions of the bill. The statement of the managers remains silent on provisions that were in both the House bill and Senate bill that remain substantially unchanged by the conference agreement.

The language set forth in House Report 109-152 and Senate Report 109-96 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary. The statement of the managers, while repeating some report language for emphasis or clarification, does not intend to negate the language in either the House or Senate reports unless expressly addressed herein.

#### CONFERENCE AGREEMENT

[Budget authority in thousands of dollars]

#### Conference agreement

Title I—Export and Investment Assistance:	
Export Import Bank .....	100,000
Export Import Bank Admin Expenses .....	73,200
Export Import Bank Inspector General .....	1,000
Export Import Bank negative subsidy .....	–35,000
OPIC Administrative expenses .....	42,274
OPIC Credit subsidy .....	20,276
OPIC offsetting collections .....	–240,000
Trade and Development Agency .....	50,900
Subtotal, Title I .....	12,650
Title II—Bilateral Economic Assistance:	
Child Survival and health programs fund ..	1,585,000
Development Assistance International Disaster Assistance .....	365,000
Transition Initiatives .....	40,000
Development Credit Program (by transfer) .....	21,000
Administrative expenses Payment to the Foreign Service Retirement and Disability Fund (mandatory) .....	41,700
Operating expenses of USAID .....	630,000
Capital investment fund Operating Expenses of USAID Inspector General .....	70,000
Economic Support Fund International Fund for Ireland .....	36,000
Assistance to Eastern Europe and the Baltic States .....	2,634,000
Assistance for the Independent States of the Former Soviet Union ..	13,500
Inter-American Foundation .....	361,000
African Development Foundation .....	514,000
Peace Corps .....	19,500
	23,000
	322,000

Millennium Challenge Corporation .....	1,770,000
Global HIV/AIDS Initiative .....	1,995,000
Democracy Fund .....	95,000
International Narcotics Control .....	477,200
Andean Counterdrug Initiative .....	734,500
Migration and Refugee Assistance .....	791,000
United States Emergency Refugee and Migration Assistance Fund .....	30,000
Nonproliferation, Antiterrorism, and Demining .....	410,100
International affairs technical assistance ....	20,000
Debt Restructuring .....	65,000

Subtotal, Title II (Discretionary) .....	14,532,800
Subtotal, Title II (Mandatory) .....	41,700
Subtotal, Title II .....	14,574,500
Title III—Military Assistance	
International Military Education and Training .....	86,744
Foreign Military Financing .....	4,500,000
Peacekeeping Operations .....	175,000
Subtotal, Title III .....	4,761,744
Title IV—Multilateral Economic Assistance:	
Global Environment Facility .....	80,000
International Development Association .....	950,000
Multilateral Investment Guarantee Agency .....	1,300
Multilateral Investment Fund .....	1,742
Inter-American Investment Corporation .....	1,742
Asian Development Fund .....	100,000
African Development Bank .....	3,638
African Development Fund .....	135,700
European Bank for Reconstruction and Development .....	1,016
International Fund for Agriculture .....	15,000
International Organizations and Programs .....	329,458
Subtotal, Title IV .....	1,619,596
Title V—General Provisions	
Section 6084, “Security in Asia” .....	10,000
Subtotal, Title V .....	10,000
Discretionary total ..	20,936,548
Mandatory total .....	41,700

Total, Foreign Operations .....

20,978,490

Once again, the conferees include a significant increase to fight HIV/AIDS, tuberculosis (TB), and malaria. This funding is appropriated in several accounts and is summarized in the chart below. Narratives for the specific diseases are under the headings “Child Survival and Health Programs Fund” and “Global HIV/AIDS Initiative”.

The conferees include a total of \$2,820,000,000 for HIV/AIDS, TB, and malaria, \$268,000,000 over the President's request and \$629,000,000 over the fiscal year 2005 level. This figure does not include significant funding anticipated to be appropriated for the

Department of Health and Human Services or the United States share of HIV/AIDS assistance through the World Bank Group.

#### FUNDING FOR HIV/AIDS, TUBERCULOSIS AND MALARIA

(Budget authority in thousands of dollars)

Disease/account	Fiscal year 2006 re- quest	Fiscal year 2006 con- ference agreement
HIV/AIDS .....	2,341,040	2,426,600
Child Survival and Health Programs		
Fund .....	386,000	490,000
Global HIV/AIDS Initiative .....	1,926,000	1,907,000
Economic Support Fund .....	3,700	4,000
Assistance for Eastern Europe and the Baltic States .....	1,560	1,600
Assistance for the Independent States of the Former Soviet Union .....	21,800	22,000
Foreign Military Financing .....	1,980	2,000
Tuberculosis .....	88,586	150,900
Global HIV/AIDS Initiative .....	13,000	26,000
Child Survival and Health Programs		
Fund .....	63,000	112,500
Economic Support Fund .....	1,900	2,000
Assistance for Eastern Europe and the Baltic States .....	386	400
Assistance for the Independent States of the Former Soviet Union .....	10,300	10,000
Malaria .....	122,500	242,500
Child Survival and Health Programs		
Fund .....	90,000	177,500
Global HIV/AIDS Initiative .....	31,000	62,000
Economic Support Fund .....	1,500	3,000
Total .....	2,552,126	2,820,000
Of which, for the Global Fund to Fight AIDS, Tuberculosis and Malaria <sup>1</sup> .....	200,000	450,000

<sup>1</sup> The contribution to the Global Fund has been allocated among the diseases in proportion to the Global Fund's grant portfolio.

The conference agreement makes available \$450,000,000 for the United States contribution to the Global Fund to Fight AIDS, TB and Malaria (Global Fund), \$250,000,000 from the "Child Survival and Health Programs Fund" and \$200,000,000 from the "Global HIV/AIDS Initiative" account. The disease amounts for "Child Survival and Health Programs Fund" and "Global HIV/AIDS Initiative" in the table above include the amount of the Global Fund contribution from those accounts estimated to be dedicated to those diseases, using Global Fund grant trend data.

The fiscal year 2006 budget request for these accounts included \$200,000,000 for a United States contribution to the Global Fund: \$100,000,000 from the "Global HIV/AIDS Initiative" account and \$100,000,000 from the "Child Survival and Health Programs Fund" account. The President requested an additional \$100,000,000 from the accounts which appropriate funding for the Department of Health and Human Services.

#### BUDGET JUSTIFICATION MATERIALS

The conferees agree with the direction of the Senate with respect to submission of a report on a proposal to improve budget justification material submitted with the fiscal year 2007 budget request. The conferees agree that the State Department should submit proposals as recommended by the Senate to the Committees on Appropriations no later than December 15, 2005.

#### TITLE I—EXPORT AND INVESTMENT ASSISTANCE

##### EXPORT-IMPORT BANK OF THE UNITED STATES

The conference agreement includes a first-time appropriation of \$1,000,000 for an Office of Inspector General. The conferees expect the position of Inspector General to be filled as expeditiously as possible.

The conference agreement provides \$100,000,000 for the subsidy appropriation. The conferees expect that there will be no reduction in Export-Import Bank activity levels due to the extraordinarily high level of carryover balances in fiscal year 2006, which totals approximately \$320,000,000.

The conference agreement provides \$73,200,000 for administrative expenses.

The conferees agree the Export-Import Bank should act promptly on all requests for

assistance from United States exporters that meet the Bank's criteria for credit worthiness, export additionality, foreign competition and net benefit to the United States economy. The conferees do not require from the Bank an explanation for rejections of requests for assistance from any specific United States industry. The conferees direct the Export-Import Bank to report by March 31, 2006 on all applications received in fiscal year 2005 and a summary of actions undertaken by the Bank with regard to such applications.

#### OVERSEAS PRIVATE INVESTMENT CORPORATION

The conferees direct the President of the Overseas Private Investment Corporation (OPIC) to continue current policy and consult with the Committees on Appropriations before any future financing for non-governmental organizations or private and voluntary organizations is approved.

#### TRADE AND DEVELOPMENT AGENCY

The conference agreement provides \$50,900,000 for the Trade and Development Agency (TDA).

The conferees provide \$1,500,000 for TDA to conduct an international aviation security and safety program to enhance the capabilities of foreign civil aviation authorities. The conferees believe this program will have the most impact if a substantial portion is implemented through a cooperative agreement between TDA and a non-profit aviation organization with relevant experience in development and training programs that assist countries in meeting their obligations for international aviation security and safety standards.

#### TITLE II—BILATERAL ECONOMIC ASSISTANCE

##### United States Agency for International Development

##### CHILD SURVIVAL AND HEALTH PROGRAMS FUND (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$1,585,000,000 for the "Child Survival and Health Programs Fund" instead of \$1,497,000,000 as proposed by the House or \$1,659,000,000 as proposed by the Senate. The conference agreement includes not to exceed \$350,000 for monitoring and oversight as proposed by the Senate, rather than \$250,000 as proposed by the House.

As in previous years, the conference agreement includes language allocating the "Child Survival and Health Programs Fund" among six program categories. A definition of program categories and their components can be found on pages 9 through 11 of House Report 107-142 and under the heading "Family Planning/Reproductive Health" on page 12 of Senate Report 107-58.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

##### CHILD SURVIVAL AND HEALTH PROGRAMS FUND

(Budget authority in thousands of dollars)

Child Survival/Maternal Health .....	360,000
(The Vaccine Fund) .....	[70,000]
Vulnerable Children .....	30,000
Family Planning/Repro- ductive Health .....	375,000
HIV/AIDS .....	350,000
Microbicides .....	[40,000]
IAVI .....	[29,000]
Other Infectious Diseases ..	220,000
TB .....	[80,000]
Malaria .....	[100,000]
Surveillance/OID .....	[25,000]
Neglected Diseases .....	[15,000]

Conference agreement

Global Fund to Fight AIDS, Tuberculosis and Malaria .....	250,000
Total .....	1,585,000

A table describing HIV/AIDS, TB, and malaria allocations by account is at the beginning of this statement of the managers. Again this year, no funding for HIV/AIDS programs in the 15 Emergency Plan for AIDS Relief "focus" countries is appropriated in this account. Funding for the "focus" countries is appropriated under the heading "Global HIV/AIDS Initiative". The narrative for HIV/AIDS funding is under the heading "Global HIV/AIDS Initiative".

#### THE GLOBAL FUND

The conference agreement includes a total of \$450,000,000 for the Global Fund: \$250,000,000 from this account, and \$200,000,000 from the Global HIV/AIDS Initiative account.

The conferees note that, of the funding committed by the Global Fund to recipient countries, approximately 56 percent will be for HIV/AIDS interventions, 31 percent for malaria interventions, and 13 percent for TB or combined TB/AIDS interventions. The conferees have used these percentages to estimate the portion of the United States contribution to the Global Fund that is likely to be attributed for each disease.

#### TUBERCULOSIS

The conference agreement provides a total of \$150,900,000 for TB assistance. Of this amount, \$80,000,000 is funded through the "other infectious diseases" allocation in this account, an estimated \$12,400,000 from other bilateral accounts, and \$58,500,000 through the contribution to the Global Fund.

#### MALARIA

For malaria, the conference agreement provides a total of \$242,500,000. Of this amount, it is expected that \$139,500,000 of the contribution to the Global Fund will fund malaria programs, \$100,000,000 is funded through the "other infectious diseases" allocation in this account, and an estimated \$3,000,000 is provided from other bilateral accounts. The conferees have long been concerned by the mortality and morbidity caused by this disease, and have made available more than \$657,500,000 since 2001 to fight malaria, consistently more each year than requested by the President.

The conferees include section 598, similar to a Senate provision, which requires that bilateral malaria funds made available in this Act are spent in a coordinated, transparent manner on effective anti-malarial programs. The conferees urge the United States Agency for International Development (USAID) to work with host country health authorities, other donors, and multi-lateral institutions to develop, where they do not already exist, country-level malaria plans with clearly delineated roles and responsibilities. These plans should include specific indicators, procedures to measure progress toward those indicators, and mechanisms to track the disbursement of funds.

Where appropriate, the plans should include significant support for the purchase of commodities, including bednets and pharmaceutical products. In accordance with these strategies, USAID's malaria programming should be provided for activities that maximize the effectiveness of United States assistance dollars in mitigating the effects of malaria.

Section 598 also requires USAID to submit quarterly reports delineating expenditures to fight malaria. These reports should include indicators for USAID's programming, progress toward those indicators, and how

USAID programming fits within country-level malaria strategic plans.

#### NEGLECTED DISEASES

The conferees are aware that certain neglected diseases cause debilitating illness and disfigurement among hundreds of millions of people in mostly tropical countries, and that medicines exist to either prevent or cure most of these diseases. In section 593, the conference agreement includes a provision similar to a Senate amendment which provides \$15,000,000 for an integrated approach to the control of neglected diseases. The conferees direct USAID to consult broadly to ensure the most effective uses of these funds and develop a multilateral mechanism to implement an integrated initiative to control these diseases, enhance coordination and effectiveness and maximize donor contributions. The Administrator of USAID should consult with the Committees on Appropriations before a mechanism is chosen. Until such a mechanism is available, the Administrator should develop and implement the program through existing bilateral and multilateral mechanisms.

#### RESEARCH AND DEVELOPMENT

The conferees note that USAID is developing a "Research and Development" strategy. In doing so for fiscal year 2006, USAID shall program not less than \$40,000,000 for microbicides, including up to \$3,000,000 for the International Partnership for Microbicides, and \$29,000,000 for the International AIDS Vaccine Initiative. Additional organizations and amounts are specified in the House and Senate reports.

#### AVIAN INFLUENZA

The conferees believe that strengthening international surveillance, reporting, and response capacity is the foundation of preventing and responding to an outbreak of avian influenza in the United States. Congress provided \$25,000,000 in Public Law 109-13 for the first step of the multi-year effort necessary to address the threat posed by an avian influenza pandemic, and the conferees expect the Administration to submit requests for further funds for this priority in future appropriations Acts.

#### DEVELOPMENT ASSISTANCE

The conference agreement provides \$1,524,000,000 for "Development Assistance".

The conference agreement includes \$214,000,000 for trade capacity building under this heading, of which at least \$20,000,000 shall be made available for labor and environmental capacity building related to the free trade agreement with the countries of Central America and the Dominican Republic. Trade capacity building is further addressed in section 570 of the general provisions.

The conference agreement provides \$365,000,000 for basic education, including adult literacy programs, under this heading. The conference agreement addresses this matter further in section 567 of the general provisions.

The conferees provide \$15,000,000 for a program in Africa regarding school fees. This program is in addition to last year's provision of a similar amount.

The conference agreement provides \$15,000,000 for programs to improve women's leadership capacity in recipient countries. The conferees recommend \$11,500,000 for USAID's Office of Women in Development, and note that the additional \$500,000 above the level recommended in the Senate report should enable the office to begin conducting gender assessments in select country missions.

The conference agreement provides \$200,000,000 of the aggregated amounts in the Act for drinking water supply and related

projects, of which not less than \$50,000,000 should be available for drinking water projects in Africa. The conference agreement includes language similar to that proposed by the Senate, recommending \$20,000,000 for clean water treatment activities in developing countries.

The conferees support the fertilizer-related research and development work being conducted by the International Fertilizer Development Center (IFDC) and urge USAID to make at least \$4,000,000 available to IFDC, including not less than \$2,300,000 for its core grant, as provided under the Senate amendment. The House did not address this matter.

The conference agreement provides \$20,000,000 for American Schools and Hospitals Abroad. The conferees request USAID consider supporting the American Community School in Beirut.

The conferees agree that not less than \$1,000,000 should be made available to the United States Telecommunications Training Institute.

The conferees support language proposed by the Senate regarding micronutrient fortification of donated American commodities. The conferees expect USAID and the United States Department of Agriculture to work together to implement the 2001 Micronutrient Compliance Review to ensure these commodities are safe for consumption.

The conference agreement provides \$2,000,000 for reconstruction and development projects in South Asia. The conferees direct that these funds be provided to the Doulos Foundation.

The conferees agree that \$20,000,000 should be made available for the Election and Political Processes Program of USAID's Office of Democracy and Governance, of which \$18,000,000 should be made available for democracy programs. The conferees note that the level of funding contained in the budget request may be insufficient for effective promotion of democracy abroad, and urge increased funding in fiscal year 2007. The conferees request USAID to consult with the Committees on how it can better coordinate its democracy and governance programs between Washington and the field, and between USAID and the State Department.

The conferees note with concern the reductions made in the fiscal year 2006 budget request for a number of African countries. The conference agreement contains funding levels for both the "Child Survival and Health Programs Fund" and "Development Assistance" that significantly exceed the amounts requested. The conferees therefore expect USAID to restore cuts in African country allocations to their fiscal year 2005 levels, consistent with proper programmatic considerations.

The conferees endorse the list of university proposals in the Senate and House reports. In addition, the conferees recommend consideration of proposals by:

—the University of South Alabama in partnership with the National Birth Defects Center of the Centers for Disease Control and Prevention;

—Historically Black Colleges and Universities in Mississippi to strengthen civil society in Latin America and the Caribbean; and

—a Consortium of Management Schools to link management schools in developing countries with faculty from leading United States management schools.

In order to eliminate a discrepancy between the Senate and House reports, the conferees direct that the first report requested from USAID on the status of university funding proposals be submitted no later than June 1, 2006 and the second report submitted no later than September 1, 2006.

The conferees clarify that funding contained in the Senate report under the head-

ing "Birds of Prey" supports the Peregrine Fund's work in the International Raptor Center, to be matched by private contributions.

#### INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

The conference agreement provides \$365,000,000 for "International Disaster and Famine Assistance". The conferees take note of the tragic earthquake in Pakistan and are aware that additional funds, including the reprogramming of funds contained in titles II and III of this Act, may be needed to address the needs caused by this tragedy.

#### TRANSITION INITIATIVES

The conference agreement provides \$40,000,000 to support the transition to democracy of countries in crisis.

#### DEVELOPMENT CREDIT AUTHORITY

##### (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$21,000,000 via transfer authority for micro and small enterprise programs, urban programs and other credit programs.

#### OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The conference agreement provides \$630,000,000 for USAID operating expenses.

#### CAPITAL INVESTMENT FUND

The conference agreement provides \$70,000,000 for USAID's Capital Investment Fund. The conference agreement makes available \$48,100,000 for USAID's contribution to the Capital Security Cost Sharing program, an increase of nearly 150 percent above last year's contribution. The remainder of the funding in this account is to be used for USAID's information technology requirements so that the Agency will be able to process timely and accurate information in a secure manner.

The conferees note that USAID plans to open a new mission in southern Sudan. To the degree that other United States Government agencies avail themselves of these facilities, the conferees note that USAID should charge a fair and reasonable rental assessment.

#### Other Bilateral Economic Assistance

##### ECONOMIC SUPPORT FUND

##### (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$2,634,000,000 for the "Economic Support Fund" (ESF), instead of \$2,558,525,000 as proposed by the House and \$3,031,375,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations.

##### ECONOMIC SUPPORT FUND

[Budget authority in thousands of dollars]

Conference agreement

<b>Africa:</b>	
Ethiopia .....	10,000
Sierra Leone (Special Court) .....	13,000
Sudan .....	20,000
Zimbabwe .....	3,000
Kimberley Process .....	2,500
Other Africa .....	88,000
<b>Subtotal—Africa .....</b>	<b>136,500</b>
<b>East Asia and the Pacific:</b>	
Burma .....	11,000
Cambodia .....	15,000
East Timor .....	19,000
Indonesia .....	70,000
Mongolia .....	7,500
Philippines .....	25,000
Tibet .....	4,000

<i>Conference agreement</i>	
Thailand .....	1,000
Vietnam .....	2,000
Environmental programs .....	2,000
South Pacific Fisheries ..	18,000
Other Asia .....	9,000
Subtotal—East Asia and the Pacific .....	183,500
Europe and Eurasia:	
Cyprus .....	20,000
Irish Visa Program .....	3,500
Other Europe and Eurasia .....	2,000
Subtotal—Europe and Eurasia .....	25,500
Near East:	
Egypt .....	495,000
Iraq .....	61,000
(Marla Ruzicka Iraqi War Victims Fund) ...	[5,000]
(IRI) .....	[28,000]
(NDI) .....	[28,000]
Israel .....	240,000
Jordan .....	250,000
Lebanon .....	40,000
Middle East Partnership Initiative .....	110,000
Middle East Regional Cooperation .....	5,000
West Bank/Gaza .....	150,000
(USAID Administrative Expenses) .....	[2,000]
Other Near East .....	15,600
Subtotal—Near East .....	1,366,600
South Asia:	
Afghanistan .....	430,000
Pakistan .....	300,000
Nepal .....	5,000
Other South Asia .....	15,000
Subtotal—South Asia .....	750,000
Western Hemisphere:	
Haiti .....	50,000
Guatemala .....	4,000
(programs to combat organized crime) .....	1,500
Mexico .....	11,500
Nicaragua .....	1,900
(elections, media, civil society and anti-corruption programs) ....	1,500
Labor and Environment in Central America .....	20,000
Other Western Hemisphere .....	26,000
Subtotal—Western Hemisphere .....	116,400
Global:	
Disability Fund .....	4,000
Wheelchairs .....	5,000
Reconciliation Programs .....	15,000
Security and Sustainability Programs .....	3,000
UNHCHR Nepal .....	2,500
Trafficking in Persons ....	12,000
Extractive Industries Transparency .....	1,000
House Democracy Assistance Program .....	1,000
Other Global .....	12,000
Subtotal—Global .....	55,500
Total .....	2,634,000
EGYPT	

The conferees note that the reduction in the overall ESF request for Egypt has come

at the expense of project assistance, and that the budget request for cash transfer and commodity import program assistance each continue at a \$200,000,000 funding level. The conferees are concerned that reduced overall ESF levels not erode further the amount of project assistance provided to Egypt.

Therefore, the conference agreement includes a minimum of \$135,000,000 of project assistance taking into consideration the increased levels of assistance for democracy, governance and education programs. Within the amount provided for project assistance, not less than \$50,000,000 shall be made available for democracy, governance and human rights programs and not less than \$50,000,000 shall be used for education programs, including \$5,000,000 that shall be made available for scholarships for disadvantaged Egyptian students. The conferees support the work of the Leadership for Education and Development program implemented by USAID in Egypt as it attracts students from rural areas of Egypt to attend the American University in Cairo.

In order to support the appropriations process in subsequent years, the conferees request the State Department submit a report to the Committees on Appropriations, as part of the fiscal year 2007 budget request, which describes the overall assistance objectives for the ESF program in Egypt. The report should address how project and non-project assistance attempts to achieve those objectives, the extent to which such objectives are being achieved, the rationale for the continued decline in project assistance, and to what extent the State Department and USAID believe this trend will continue. In addition, the conferees request that the report address the balance between economic and military assistance provided to Egypt, including whether maintaining the current level of military assistance in relation to economic assistance is most appropriate in light of political and economic conditions in Egypt and in the region.

The conferees agree with the House proposal that not less than 50 percent of the funds for democracy, governance and human rights be provided through non-governmental organizations for the purpose of strengthening Egyptian civil society organizations, enhancing their participation in the political process and their ability to promote and monitor human rights. Of the funds provided for education, the conferees recommend that not less than 50 percent be used to improve access to basic education. The remainder of funds provided for education shall be used to strengthen institutions of higher education, promote academic freedom, fund educational and cultural exchange programs, and provide educational scholarships including for the American University in Cairo. The conferees request USAID to consult with the Committees on Appropriations regarding the use of democracy funds for Egypt.

The conference agreement does not include language, proposed by the Senate, conditioning ESF assistance on the installation of an FM transmitter in Media City for Radio SAWA. The conferees expect the State Department to continue to make this matter a priority in Egypt-United States relations.

#### AFRICA

The conferees agree to provide \$10,000,000 for political reform programs in Ethiopia and direct the State Department to consult with the Committees on Appropriations on the uses of these funds.

The conferees agree to provide \$4,000,000 for assistance for Zimbabwe for activities consistent with the Zimbabwe Democracy and Economic Recovery Act of 2001 (Public Law 107-99). The conferees remain concerned with

the authoritarianism of the Mugabe regime and the impact of its misrule on the people of Zimbabwe and the region, particularly with respect to the spread of HIV/AIDS.

The conferees support efforts to revitalize the peace process in Uganda, and expect funding in this Act to be made available for humanitarian, psycho-social, and development needs for displaced and war-affected persons. The conferees urge the Government of Uganda to accept the presence of international human rights monitors in northern and eastern Uganda.

#### EAST ASIA AND THE PACIFIC

The conference agreement includes language, similar to that proposed by the Senate, which recommends targeted assistance for Cambodia, including \$15,000,000 for the promotion of democracy, human rights, and the rule of law. The conferees agree with the Senate position with respect to Cambodia, and condemn the continued suppression of free speech and intimidation of political activists and opposition parties by the Government of Cambodia.

The conferees note that democracy remains fragile in Timor-Leste. The UNOTIL is scheduled to end in May 2006 and some essential government functions remain dependent on international assistance. The conference agreement includes language directing not less than \$19,000,000 in ESF assistance for Timor-Leste, and \$1,500,000 in INCLE assistance for on-the-ground training of police.

The conferees agree to provide \$25,000,000 for assistance for the Philippines, an increase of \$5,000,000 above the budget request.

#### NEAR EAST

The conferees agree to provide \$110,000,000 for the Middle East Partnership Initiative and direct that up to \$9,000,000 be made available for scholarship programs for students from countries with significant Muslim populations at not-for-profit American institutions of basic and higher education in the Middle East that are accredited by an accrediting agency recognized by the United States Secretary of Education and are not controlled by the government of the country in which they are located, including the American University of Beirut, the American University in Cairo, and the Lebanese American University. The conferees note that funding provided to American educational institutions in Lebanon may be used for scholarships to support students from any country within the Middle East.

The conference agreement includes \$56,000,000 for democracy, governance and rule of law programs in Iraq, which is similar to a provision proposed by the Senate. The conferees direct that of these funds, \$28,000,000 be made available to the International Republican Institute and \$28,000,000 to the National Democratic Institute.

The conferees recognize the important programs of organizations, such as Interns for Peace, regarding peacemaking and economic empowerment of Palestinian youth, and recommend sufficient funding be made available to support these activities from assistance provided for the West Bank and Gaza.

#### OTHER

The conferees recommend \$5,000,000 to continue support for the provision of wheelchairs for needy persons in developing countries, instead of \$10,000,000 as proposed by the Senate.

The conference agreement does not include language proposed by the Senate regarding English language training programs in Francophone countries. The conferees direct that funds made available under the heading "Economic Support Fund" be made available for such purposes.



EXTRACTIVE INDUSTRIES TRANSPARENCY  
INITIATIVE

The conference agreement does not include a provision proposed by the Senate to provide a United States contribution to the Extractive Industries Transparency Initiative Trust Fund (EITI), which is managed by the World Bank. The House did not address this matter. However, the conferees support this initiative which aims to improve the capacity of developing countries to sustainably manage the extraction of natural resources and to monitor revenues generated from such extraction so they are used for purposes which benefit their people. The conferees provide \$1,000,000 in ESF assistance to be administered by USAID to support EITI implementation and to strengthen the role and capacity of civil society organizations in the EITI process.

## PAKISTAN

The conference agreement does not include language proposed by the Senate which conditioned ESF assistance to the central government of Pakistan on submission of a report describing steps the government has taken to protect the rights and safety of Pakistan's human rights lawyers and journalists. The conferees are concerned with reports of harassment and violence perpetrated by Pakistani security forces against lawyers who represent political dissidents and journalists who report on government corruption and other abuses. The conferees direct the Secretary of State to provide the report required by the Senate provision no later than 120 days after enactment of this Act.

FOUNDATION FOR SECURITY AND  
SUSTAINABILITY

The conferees agree to provide \$3,000,000 for the Foundation for Security and Sustainability, as proposed by the Senate.

## CENTRAL HIGHLANDS OF VIETNAM

The conferees agree to provide \$2,000,000 for programs to address the needs of affected communities and individuals in the Central Highlands of Vietnam. The conferees expect up to \$1,000,000 will be provided to the Montagnard Development Project.

ECONOMIC DEVELOPMENT PROGRAMS—  
INDONESIAN UNIVERSITIES

The conference agreement does not include a proposal by the Senate that \$2,000,000 be made available for economic development programs conducted by Indonesian universities. However, the conferees expect funding to be provided for this purpose.

UNITED NATIONS HIGH COMMISSIONER FOR  
HUMAN RIGHTS IN NEPAL

The conferees agree to provide a total of not less than \$7,500,000 in ESF assistance for Nepal, including \$2,500,000 for a United States contribution to the Office of the UN High Commissioner for Human Rights in Nepal.

## INTERNATIONAL FUND FOR IRELAND

The conference agreement provides \$13,500,000 as proposed by the House instead of no appropriation as proposed by the Senate.

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES

The conference agreement provides \$361,000,000 instead of \$357,000,000 as proposed by the House and \$395,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

ASSISTANCE FOR EASTERN EUROPE AND THE  
BALTIC STATES

[Budget authority in thousands of dollars]

	<i>Conference agreement</i>
Albania .....	28,000

*Conference agreement*

Bosnia-Herzegovina .....	40,000
Bulgaria .....	20,000
Croatia .....	15,000
Kosovo .....	75,000
Macedonia .....	35,000
Romania .....	20,000
Serbia .....	70,000
Montenegro .....	15,000
Regional Programs .....	43,000
<b>Total .....</b>	<b>361,000</b>

## SERBIA

The conference agreement includes language in section 563 similar to that proposed by the Senate conditioning assistance to the central government of Serbia on a determination by the President that the Government of Serbia and Montenegro is cooperating with the International Criminal Tribunal for the former Yugoslavia.

The conferees recognize that Serbia's democratic transition remains fragile, and directs the State Department to give priority from funds appropriated for assistance for Serbia to programs and activities that strengthen democratic political parties, parliament and civil society.

## KOSOVO

The conferees recommend that support be considered for the American University in Kosovo.

## TRAINING AND DEVELOPMENT

The conference agreement does not include language, proposed by the Senate, which recommends \$3,500,000 for leadership development programs for women and youth. The conferees expect the State Department to make these funds available for such purposes.

The conference agreement provides \$5,000,000 for the training of judges and prosecutors, as proposed by the Senate. The conferees request the State Department to consult with the Committees on Appropriations on the use of these funds. The conferees note the American Bar Association's rule of law programs and support implementing them through cooperative agreements.

The conferees recommend funding for the Russian, Eurasian, and East European Research and Training Program (Title VIII) at the fiscal year 2005 level. The conferees also encourage the use of Title VIII funds to include comparative research and language training concerning Eurasian countries critical in the war on terrorism.

The conferees continue to support the East Central European Scholarship Program (ECESP) and expect that USAID will continue to fund ECESP in Albania and Macedonia through an extension of the current ECESP cooperative agreement.

ASSISTANCE FOR THE INDEPENDENT STATES OF  
THE FORMER SOVIET UNION

The conference agreement provides \$514,000,000 instead of \$477,000,000 as proposed by the House and \$565,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

ASSISTANCE FOR THE INDEPENDENT STATES OF  
THE FORMER SOVIET UNION

[Budget authority in thousands of dollars]

	<i>Conference agreement</i>
Armenia .....	75,000
Azerbaijan .....	35,000
Belarus .....	12,000
Georgia .....	67,000
Kazakhstan .....	25,000
Kyrgyz Republic .....	25,000
Moldova .....	19,000

*Conference agreement*

Russia .....	80,000
Russian Far East .....	[17,500]
Northern Caucasus .....	[5,000]
Tajikistan .....	24,000
Turkmenistan .....	5,000
Ukraine .....	84,000
Uzbekistan .....	20,000
Regional Programs .....	43,000

<b>Total .....</b>	<b>514,000</b>
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## HUMANITARIAN PROGRAMS

The conferees are concerned that internal armed conflicts in the Northern Caucasus have caused great suffering and resulted in enormous humanitarian and development needs for the people of Chechnya, Ingushetia, North Ossetia-Alania, and Dagestan. The conference agreement includes not less than \$5,000,000 for improvements in basic services, community reconstruction and recovery, economic development with an emphasis on job creation, the promotion of good governance, human rights, free media, and support for civil society organizations. The above-mentioned republics should receive priority consideration for this assistance. These funds should be disbursed through a transparent, competitive process.

The conferees agree that at least \$3,000,000 of the funds allocated for regional programs should be provided to address ongoing humanitarian needs in Nagorno-Karabagh.

The conferees recommend that the State Department consider a proposal for a Central Diagnostic Laboratory in the Caucasus, to be located in Armenia.

The conferees recommend USAID give consideration to the programs of the Vishnevskaya-Rostropovich Foundation, which conducts health programs for children that emphasize disease prevention in the Russian Federation.

## TRAFFICKING IN PERSONS

The conferees include not less than \$4,000,000 for programs to fight trafficking in persons. The conferees intend that this funding be used to protect victims of trafficking, prevent new instances of trafficking, and support the prosecution of traffickers.

## NUCLEAR SAFETY

The conference agreement recommends that of the funds made available for assistance for Ukraine, \$5,000,000 should be made available for nuclear reactor safety initiatives, similar to that proposed by the Senate. The conferees expect that of this amount, \$3,000,000 should be provided for simulator-related projects.

## TRAINING AND DEVELOPMENT

The conference agreement provides \$2,500,000, as proposed by the Senate, for the Business Information Service for the Newly Independent States (BISNIS). The conferees support BISNIS's efforts to establish a self-sustaining program under the Department of Commerce and will reconsider this matter in fiscal year 2007.

The conferees recognize the important work of the Eurasia Foundation in promoting civil society and private enterprise in the successor countries of the former Soviet Union and encourage USAID and the State Department to support the Foundation's efforts to launch and build indigenous foundations throughout the region to continue this work. The conferees note the Eurasia Foundation's commitment to seek sustainable funding for such indigenous organizations through private sector and regional donors.

## Independent Agencies

## INTER-AMERICAN FOUNDATION

The conference agreement provides \$19,500,000 as proposed by the House instead of \$20,000,000 as proposed by the Senate.

## AFRICAN DEVELOPMENT FOUNDATION

The conference agreement provides \$23,000,000 instead of \$20,500,000 as proposed by the House and \$25,000,000 as proposed by the Senate.

## PEACE CORPS

## (INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$322,000,000, instead of \$325,000,000 as proposed by the House and \$320,000,000 as proposed by the Senate.

## SUPPORT FOR COUNSEL

The conferees are aware that under certain circumstances jurisdictions overseas require the victim of a crime to participate in the prosecution of the crime. The conferees believe that the language of section 5(1) of the Peace Corps Act could support the use of funds appropriated to the Peace Corps to enable the Peace Corps to employ local counsel for volunteers in proceedings where they are parties or complaining witnesses. The conferees urge the Peace Corps to work with the committees of substantive jurisdiction to seek additional clarity on this issue in the Peace Corps Act.

## AVIAN INFLUENZA

The conferees expect the Peace Corps to use funding appropriated under this heading for expenses relating to avian influenza.

## MILLENNIUM CHALLENGE CORPORATION

The conference agreement provides \$1,770,000,000 for the Millennium Challenge Corporation (MCC) instead of \$1,750,000,000 as proposed by the House and \$1,800,000,000 as proposed by the Senate.

The conference agreement makes available up to \$75,000,000 for administrative expenses as proposed by the House, instead of \$70,000,000 as proposed by the Senate. Additionally, the conferees include language proposed by the Senate, and similar to that proposed by the House, providing up to 10 percent of funds for threshold country assistance.

The conference agreement includes a number of provisions proposed by both the House and Senate requesting a report on the threshold country program, extending section 605(e)(4) of the Millennium Challenge Act of 2003, and requiring that the MCC fully fund multi-year compacts for fiscal year 2006.

The conferees understand that strong participation from indigenous civil society organizations is critical to increasing public support for and ensuring that the MCC successfully meets its intended goals of economic growth and poverty reduction. Such participation would also strengthen the nascent democratic processes in eligible countries, contribute to the MCC criteria of good governance, and provide opportunities for discussion of how best to achieve national priorities of economic growth and poverty reduction.

The conferees request that the Chief Executive Officer of the MCC submit a report that describes and assesses the record of national governance structures to take into account indigenous civil society input within countries that have completed compact negotiations. The report should be submitted to the relevant committees of jurisdiction identified in the MCC authorization no later than March 31, 2006.

## Department of State

## GLOBAL HIV/AIDS INITIATIVE

The conference agreement provides \$1,995,000,000 for "Global HIV/AIDS Initiative" instead of \$1,920,000,000 as proposed by the House and \$2,020,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section

596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

## GLOBAL HIV/AIDS INITIATIVE

[Budget authority in thousands of dollars]

Conference agreement	
Focus Countries .....	1,232,000
Central programs .....	393,000
Global Fund .....	200,000
Central Technical Support and Management .....	59,000
(Administrative Expenses) .....	[12,000]
Non-focus countries .....	50,000
Strategic Information/Evaluation .....	31,000
UNAIDS .....	30,000
Total .....	1,995,000

## ACCOUNT STRUCTURE

The conferees note that all funding for the 15 Global HIV/AIDS Initiative "focus" countries is appropriated in this account. The conferees strongly encourage the Office of the Global AIDS Coordinator to continue its policy of providing additional funding to "non-focus" countries and have included \$50,000,000 for "non-focus" countries in this account.

## HIV AND NUTRITION

The conferees urge the Office of the Global AIDS Coordinator to develop and implement a strategy, in coordination with groups responsible for issues of nutrition, such as USAID, the Department of Agriculture, the World Food Program, and the Food and Agriculture Organization, to address the nutritional requirements of those on antiretroviral therapy. The conferees ask the Office of the Global AIDS Coordinator, in collaboration with USAID, to consult with and report to the Committees on Appropriations not later than 180 days after the enactment of this Act on the following for the Global HIV/AIDS Initiative "focus" countries:

- (a) The number of Global HIV/AIDS Initiative beneficiaries on antiretroviral therapy;
- (b) The impact of food and nutrition on care and treatment; and
- (c) A strategy to address the nutritional requirements of persons receiving care and treatment.

## TECHNICAL AND PROGRAMMATIC SUPPORT

The conferees urge USAID and the Office of the Global AIDS Coordinator to improve coordination for programs to fight HIV and TB, including through increased funding to organizations such as the World Health Organization which can provide technical support to countries.

The conferees continue to support the country planning process and recommend that the Office of the Global AIDS Coordinator consider support for organizations, such as Dream for Africa, which develop civil society and local health outreach.

## DEMOCRACY FUND

The conference agreement includes a new appropriations account, similar to that proposed by the Senate, which seeks to increase the effectiveness and oversight of programs that promote democracy, governance, human rights, independent media, and the rule of law globally. The conferees note that this account also incorporates provisions contained in sections 6026 and 6034 of the Senate bill, and section 534 of the House bill.

The conferees recommend \$95,000,000 for specific democracy programs and activities, as contained in the following table, and up to \$1,448,200,000 for democracy, human rights, and rule of law activities under title II of this Act, as contained in the budget request:

## DEMOCRACY FUND

[Budget authority in thousands of dollars]

Conference agreement	
Human Rights and Democracy Fund:	
Global Programs .....	27,000

## Conference agreement

China/Hong Kong/Taiwan .....	20,000
Muslim Countries outside Middle East .....	12,000
Forensic assistance in Central and South America .....	3,000
Reagan/Fascell Democracy Fellows program .....	1,200
Subtotal, Human Rights and Democracy Fund .....	63,200
National Endowment for Democracy:	
China/Hong Kong/Taiwan .....	3,000
Muslim Countries outside Middle East .....	3,000
Africa .....	2,000
Tibet .....	250
Venezuela .....	2,000
Russia .....	4,000
North Korea .....	1,000
Subtotal, National Endowment for Democracy .....	15,250
Other:	
Thailand .....	2,000
UN Democracy Fund .....	8,000
Iran and Syria .....	6,550
Subtotal, Other .....	16,550
Total .....	95,000

The conference agreement does not include language proposed by the Senate that caps USAID contracts for democracy programs at \$250,000,000. The conference agreement includes a provision requiring USAID to notify the Committees on Appropriations of democracy, governance, human rights and rule of law contracts, grants and cooperative agreements (and any amendments to the same) exceeding \$10,000,000. The conferees include language similar to that proposed by the Senate to provide that funds in the Act that are made available to the National Endowment for Democracy (NED) may be made available notwithstanding any other provision of law or regulation.

The conference agreement recommends \$6,550,000 for programs that support the advancement of democracy in Iran and Syria, and language permitting other funds in this Act to be used for similar purposes. The conferees expect that not less than a total of \$10,000,000 from funds in this account as well as funds provided for the Middle East Partnership Initiative be made available for programs to support democracy in Iran, including through educational, humanitarian and nongovernmental organizations and individuals inside Iran. The conferees encourage the State Department to consider a range of proposals for democracy promotion in Iran, including activities utilizing the media.

The conferees support additional assistance for democracy programs in the Democratic Republic of the Congo from funds made available under this heading and elsewhere in this Act.

In addition to funds for programs targeted toward Africa, Asia, and Muslim countries outside the Middle East, the conferees include for the National Endowment of Democracy: \$250,000 for democracy and human rights programs relating to Tibet; \$2,000,000 for the promotion of democracy in Venezuela; \$4,000,000 for political party development programs in Russia; and \$1,000,000 for programs that promote democratization in North Korea, including human rights and the free flow of information.

The conferees provide \$8,000,000 for a United Nations Democracy Fund. The conferees request the State Department to report to the Committees on Appropriations on how this fund will complement ongoing United States democracy building efforts.

## INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement provides \$477,200,000 for International Narcotics Control and Law Enforcement (INCLE), instead of \$442,400,000 as proposed by the House and \$523,874,000 as proposed by the Senate. Funds are made available until September 30, 2008 as proposed by the House instead of September 30, 2007 as proposed by the Senate.

The conference agreement provides \$10,000,000 for assistance for demand reduction programs, similar to the House bill. The Senate did not address this matter.

The conference agreement provides \$16,000,000 for the International Law Enforcement Training Academies (ILEA) as proposed by the Senate. The House did not address this issue.

The conference agreement does not include a Senate provision making \$10,000,000 in INCLE funds available for law enforcement programs to combat violent gangs in Guatemala, Honduras and El Salvador. The House bill did not address this issue. However, the conferees are alarmed by the growing violent gang activity in these countries and urge the Secretary of State to increase funding for these programs.

The conferees direct the State Department to consult with the Committees on Appropriations concerning the use of funds available under this heading and specified as "other programs" in the accompanying table. The conferees expect that programs in Iraq will be given the highest priority with either fiscal year 2006 INCLE funds or prior year unobligated funds.

The conferees agree with the concerns expressed in Senate report language regarding the unwieldy structure of funding for INL aviation programs. The conferees direct that not less than 30 days prior to the obligation of funds available for "International Narcotics and Law Enforcement" or "Andean Counterdrug Initiative" for the procurement of aircraft, the State Department shall provide the Committees on Appropriations with an Analysis of Alternatives. The analysis shall include, at a minimum: the requirement or mission need for the aircraft to be procured; planned funding for the subject acquisition; cost of alternative aircraft; mission capabilities to include range, lift and operational limitations; estimated maintenance costs and requirements; planned acquisition strategy; and contract or availability limitations.

The conference agreement makes available \$33,484,000 for administrative expenses as proposed by the House instead of \$30,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

## INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

[Budget authority, dollars in thousands]

<i>Conference agreement</i>	
Indonesia .....	5,000
Timor-Leste .....	1,500
Philippines .....	2,000
Thailand .....	1,000
Afghanistan .....	235,000
Pakistan .....	38,000
Haiti .....	15,000
Jamaica .....	1,000
Mexico .....	40,000
Latin America Regional .....	2,500
Anticorruption .....	1,500
Demand Reduction .....	10,000
Anticrime (includes intellectual property protection) .....	9,000
ILEAS .....	16,000
Other countries and programs .....	99,700
<b>Total .....</b>	<b>477,200</b>

## ANDEAN COUNTERDRUG INITIATIVE

The conference agreement provides \$734,500,000 for the "Andean Counterdrug Initiative" as proposed by the House and the Senate. Funds are made available until September 30, 2008 as proposed by the House instead of September 30, 2007 as proposed by the Senate. The conferees emphasize that there are other funds for Andean nations in this Act.

The conference agreement provides that not less than \$228,772,000 shall be directly apportioned to USAID, including \$131,232,000 for Colombia.

The conference agreement includes a provision similar to the Senate amendment that recommends that not less than \$2,000,000 should be made available to protect biodiversity and indigenous reserves in Colombia. The House did not address this matter. The conferees intend these funds to be used for continued assistance for the Colombian National Park Service and to support activities of nongovernmental organizations.

The conference agreement includes a provision similar to that proposed by the Senate to provide \$8,000,000 to USAID for organizations and programs to protect human rights in Colombia. These funds are in addition to the \$6,000,000 requested for judicial reform programs in Colombia in fiscal year 2006.

The conferees are aware that hundreds of Colombian military personnel, mostly young recruits, have suffered grievous injuries from landmines and other causes. Many require sophisticated medical treatment. Through the efforts of "United for Colombia," several United States hospitals are providing this treatment free of charge but there are incidental costs such as transportation, lodging and medicines. The conferees direct that of the funds available for the Colombian Armed Forces, \$500,000 be made available to pay the incidental costs associated with the treatment and care of injured soldiers in the United States. The conferees also recommend that additional Leahy War Victims Fund assistance be made available for Colombian civilians who are disabled from landmines and other causes resulting from the conflict.

The conference agreement again includes conditions, similar to current law and the same as the Senate amendment, on aerial spraying. The House bill did not address this matter.

The conference agreement includes a provision proposed by the Senate, which is current law, that requires that the Administrator of USAID, in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, shall have responsibility for the use of funds under this heading that are directly apportioned to USAID. The House did not address this matter.

The conference agreement makes available \$19,015,000 from this account for administrative expenses of the State Department and \$7,800,000 for administrative expenses of USAID as proposed by the House instead of \$16,000,000 for the State Department and \$7,000,000 for USAID as proposed by the Senate.

The conferees urge the Administration to include in its fiscal year 2007 budget request amounts necessary for a maritime refueling support vessel capable of refueling United States and allied vessels engaged in drug interdiction in the eastern Pacific transit zone.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

## ANDEAN COUNTERDRUG INITIATIVE

[Budget authority in thousands of dollars]

*Conference agreement*

<b>Bolivia:</b>	
Interdiction/Eradication .....	43,000
Alternative Development/Institution Building .....	37,000
<b>Colombia:</b>	
Interdiction/Eradication .....	310,850
USAID Alternative Development/Institution Building .....	131,232
Rule of Law .....	27,393
<b>Ecuador:</b>	
Interdiction/Eradication .....	8,460
Alternative Development/Institution Building .....	11,540
<b>Peru:</b>	
Interdiction/Eradication .....	59,000
Alternative Development/Institution Building .....	49,000
Panama .....	4,500
Brazil .....	6,000
Venezuela .....	2,252
Air Bridge Denial .....	14,000
Critical Flight Safety .....	30,000
<b>Total .....</b>	<b>734,500</b>

## MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides \$791,000,000 for the Migration and Refugee Assistance Account instead of \$790,720,000 as proposed by the House and \$900,000,000 as proposed by the Senate.

## ISRAEL

The conference agreement also includes Senate language providing not less than \$40,000,000 for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel. The House bill did not address this matter.

## NORTH KOREA

The conference agreement does not include language, as proposed by the Senate, regarding assistance for refugees from North Korea. The conferees note that this matter remains a priority for the Committees on Appropriations, and expect the State Department to continue to consult with the Committees on Appropriations on how best to assist these refugees.

## CONFLICT MITIGATION

The conferees include a provision, similar to Senate language, recommending funding for programs to mitigate conflict between refugees and hosting communities and to provide technical assistance to local organizations for assistance to refugees, including refugee registration and protection.

## UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement provides \$30,000,000 for the United States Emergency Refugee and Migration Assistance Fund, as proposed by the House, instead of \$40,000,000 as proposed by the Senate.

The conference agreement does not include language proposed by the Senate that provides the funds notwithstanding section 2(c)(2) of the Migration and Refugee Assistance Act of 1962.

## NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement provides \$410,100,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, instead of \$400,350,000 as proposed by the House and \$445,100,000 as proposed by the Senate.

The conference agreement provides that certain funds appropriated under this heading may be made available notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House provided that these funds may be used notwithstanding any provision of law that restricts assistance to foreign countries.

The conferees support the use of facilities in New Mexico for instruction in Rural Border patrol operations and urge the State Department to continue Anti-Terror Assistance Program training at these facilities.

The conferees recognize the strategic and potential economic importance of the port of Riga, given Latvia's status as a valued and trusted NATO ally. In addition to the reporting requirements set forth in the Senate report, the State Department shall also report to the Committees on Appropriations on any specific security and non-proliferation issues and concerns needed to be addressed in the assessment.

Due to budget constraints, the conference agreement does not include a provision proposed by the Senate to provide additional funds above the amount requested for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission (CTBT). The House did not address this matter. The conferees urge the State Department to include sufficient funds for CTBT in the Administration's fiscal year 2007 budget request.

The conference agreement does not include \$29,000,000 as requested for programs in Iraq, including \$16,000,000 as requested for humanitarian demining programs in Iraq. The conferees expect these programs to be funded from prior year funds currently unobligated for Iraq.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

NONPROLIFERATION, ANTI-TERRORISM, DEMINE AND RELATED PROGRAMS (Budget authority in thousands of dollars)	
<i>Conference agreement</i>	
Nonproliferation and Disarmament Fund .....	37,500
Export Control and Border Security assistance .....	43,400
Nonproliferation of WMD Expertise .....	52,600
International Atomic Energy Agency—Voluntary Contribution .....	50,000
CTBT/International Monitoring System .....	14,350
Anti-terrorism Assistance .....	123,500
Counterterrorism financing .....	7,500
Terrorist Interdiction Program ...	5,500
CT Engagement with Allies .....	1,000
Humanitarian Demining .....	56,000
International Trust Fund for Demining .....	10,000
Small Arms/Light Weapons Destruction .....	8,750
<b>Total .....</b>	<b>410,100</b>

#### CONFLICT RESPONSE FUND

The conference agreement does not include funding for the Conflict Response Fund. The conferees request the State Department, prior to the submission of the fiscal year 2007 budget request, to provide the Committees on Appropriations with a comprehensive, disciplined and coherent strategy detailing how the Office of the Coordinator for Reconstruction and Stabilization will coordinate United States Government-wide efforts to respond to international post-conflict contingencies.

#### Department of the Treasury

##### INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement provides \$20,000,000 for the International Affairs Technical Assistance program of the Department of the Treasury as proposed by the House and the Senate. Funds for this account are made available until September 30, 2008, instead of 2009 as proposed by the House and 2007 as proposed by the Senate.

The conference agreement provides that funds appropriated under this heading may be made available notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House provided that these funds may be made available notwithstanding any provision of law that restricts assistance to foreign countries.

#### DEBT RESTRUCTURING

The conference agreement provides \$65,000,000 for Debt Restructuring as proposed by the House, instead of \$99,750,000 as proposed by the Senate. The conference agreement provides \$20,000,000 for the Tropical Forest Conservation Act Programs as proposed by both the House and Senate.

The conferees include a technical provision proposed by the Senate referencing limitations by the Agricultural Trade Development and Assistance Act of 1954. The House did not address this matter.

The conference agreement does not include Senate language limiting the use of the United States contribution to the HIPC Trust Fund. The House did not address this matter.

#### TITLE III—MILITARY ASSISTANCE

##### INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement provides \$86,744,000 for International Military Education and Training (IMET), as proposed by the House and the Senate.

##### FOREIGN MILITARY FINANCING PROGRAM

The conference agreement provides \$4,500,000,000 for the Foreign Military Financing Program (FMF), instead of \$4,442,300,000 as proposed by the House and \$4,603,600,000 as proposed by the Senate.

The conferees agree with the House position that \$1,300,000,000 shall be made available for grants only for Egypt and that \$210,000,000 as proposed by the Senate shall be made available for assistance for Jordan.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

FOREIGN MILITARY FINANCING PROGRAM (Budget authority in thousands of dollars)	
<i>Conference agreement</i>	
Israel .....	2,280,000
Jordan .....	210,000
Egypt .....	1,300,000
Armenia .....	5,000
Azerbaijan .....	5,000
Pakistan .....	300,000
Turkey .....	15,000
Uzbekistan .....	0
Estonia .....	5,000
Latvia .....	6,000
Lithuania .....	5,000
Guatemala .....	0
Operation Enduring Friendship ...	4,000
Administrative Expenses .....	41,000
Mongolia .....	3,000
Georgia .....	12,000
Lebanon .....	1,000
Poland .....	30,000
Indonesia .....	1,000
Philippines .....	20,000
Thailand .....	1,500
Tunisia .....	10,000
Tonga .....	250
Bangladesh .....	1,000
Sri Lanka .....	1,000
Cambodia .....	1,000
Fiji .....	500
Other .....	241,750
<b>Total .....</b>	<b>4,500,000</b>

##### ARMENIA AND AZERBAIJAN

The conferees agree to include \$5,000,000 for each of the countries of Armenia and Azer-

baijan. In addition, the conferees support IMET assistance levels of \$750,000 for each country.

#### LEBANON

The conferees agree to initiate FMF in Lebanon for \$1,000,000. The conferees agree that this assistance should be used to initiate procurement of such non-lethal equipment as radios and vehicles.

#### PEACEKEEPING OPERATIONS

The conference agreement provides \$175,000,000 for "Peacekeeping Operations", instead of \$177,800,000 as proposed by the House and \$195,800,000 as proposed by the Senate.

#### TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

##### International Financial Institutions

##### GLOBAL ENVIRONMENT FACILITY

The conference agreement provides \$80,000,000 for the Global Environment Facility (GEF) instead of no appropriation as proposed by the House and \$107,500,000 as proposed by the Senate.

The conferees recognize that the GEF adopted a new Resource Allocation Framework (RAF) in September, 2005. The RAF will link the allocation of GEF resources to a country's potential to generate global environmental benefits as well as its performance, including transparency and good governance. The purpose of performance-based allocations in any institution is to maximize the beneficial impact of scarce resources. The conferees are pleased that the GEF Council established the performance-based allocation system, the centerpiece reform of the GEF-3 replenishment agreement of 2002, and the basis for budget requests to the Congress over the last four years. Due to constraints of the budget allocation, the conferees were unable to provide the full amount for the GEF proposed by the Senate.

Additionally, the conferees are aware that the donor negotiations for the next GEF replenishment, GEF-4, are currently underway. Therefore, the conferees direct the Department of the Treasury to consult with the Committees on Appropriations on a periodic basis during the fiscal year regarding the implementation of the RAF and other reforms adopted by the GEF for the remaining GEF-3 funding as well as for new funding being proposed under the GEF-4 replenishment.

##### CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement provides \$950,000,000 for the International Development Association (IDA), the concessional lending facility of the World Bank, as proposed by the House instead of \$900,000,000 as proposed by the Senate.

The conferees believe that the IDA could be an appropriate source of funds to help eligible countries prepare for and combat a potential avian influenza epidemic. There exists significant need in Asia for programs to increase surveillance capacity, compensate small-scale farmers for timely reports of bird die-offs, modernize animal husbandry practices, and upgrade infectious disease infrastructure. The conferees urge the United States Executive Director to the World Bank to use the voice and vote of the United States to increase support for this global priority, and direct the Secretary of the Treasury to report not later than 90 days after enactment of this Act on the World Bank's plans to do so. The conferees urge governments in that region to make combating avian influenza a top priority.

##### CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

The conference agreement provides \$1,300,000 for the Multilateral Investment

Guarantee Agency, as proposed by the Senate, instead of \$1,741,515 as proposed by the House.

#### CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT BANK

##### INTER-AMERICAN INVESTMENT CORPORATION

The conference agreement provides \$1,741,515 for past due payments by the United States to the Inter-American Investment Corporation as proposed by the House, instead of \$1,500,000 as proposed by the Senate.

#### CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

The conference agreement provides \$1,741,515 for past due payments by the United States to the Multilateral Investment Fund as proposed by the House, instead of \$3,742,000 as proposed by the Senate.

#### CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement provides \$100,000,000 for the United States contribution to the Asian Development Fund, as proposed by the Senate, instead of \$115,250,000 as proposed by the House.

#### CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The conference agreement provides \$3,638,000 for the African Development Bank, as proposed by the Senate, instead of \$5,638,350 as proposed by the House.

#### CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement provides \$135,700,000 for the African Development Fund as proposed by the House and the Senate.

#### INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement provides \$329,458,000 for voluntary contributions to "International Organizations and Programs", instead of \$328,958,000 as proposed by the House and \$330,000,000 as proposed by the Senate.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

#### INTERNATIONAL ORGANIZATIONS AND PROGRAMS

[Budget authority in thousands of dollars]

	<i>Conference agreement</i>
Center for Human Settlements ....	150
IMO Maritime Security .....	400
ICAO Aviation Programs .....	950
International Conservation Programs (CITES/ITTO/IUCN/Ramsar/CCD) .....	5,950
International Contributions for Scientific Educational & Cultural Activities .....	1,000
IPCC/UNFCCC .....	6,000
Montreal Protocol .....	21,500
OAS Development Assistance .....	4,750
OAS Fund for Strengthening Democracy .....	2,500
Reserve to be allocated .....	22,500
UNICEF .....	127,000
UNIFEM .....	3,250
UNIFEM Trust Fund .....	1,500
UNDP .....	110,000
UNEP .....	10,262
UN Office for the Coordination of Humanitarian Affairs .....	813
UN Fund for Tech. Cooperation in Human Rights .....	1,500
UN Voluntary Fund for Victims of Torture .....	6,583
World Meteorological Organization .....	1,900
WTO .....	950
<b>Total .....</b>	<b>329,458</b>

#### UNITED NATIONS DEVELOPMENT PROGRAM

The conferees encourage the United Nations Development Program (UNDP) to remain vigilant over the politicization of its funding for propaganda purposes, particularly by the Palestinian Authority in the West Bank and Gaza and by the illegitimate State Peace and Development Council in Burma. The conferees do not endorse the purchase of aircraft by UNDP for program purposes in Burma.

#### WORLD FOOD PROGRAM

The conferees support the work of the World Food Program and have provided \$10,000,000 for a voluntary contribution under section 534 of this Act as proposed by the Senate, rather than \$6,000,000 as proposed by the House.

#### TITLE V—GENERAL PROVISIONS

(Note: If the provision proposed by the House and Senate is similar, except for a different section number or minor technical differences, the section is not addressed in this statement of the managers.)

##### *Sec. 504. Report on Unobligated Balances*

The conference agreement includes a new provision as proposed by the Senate (section 6100), with some modification, that requires the submission of quarterly reports on unobligated and unexpended funds.

The conferees agree that the quarterly report required by this section should be formatted to provide information on unobligated balances for the relevant quarter as well as cumulative balances for unobligated and unexpended funds. For purposes of this quarterly report, the terms "unobligated" and "unexpended" shall have the same meaning as such terms defined by the Government Accountability Office (GAO) "Red Book" and as used by the Office of Management and Budget (OMB).

The conferees agree that the first quarterly report required by this provision, covering the first quarter of the fiscal year 2006 and prior year balances, shall be due to the Committees on Appropriations no later than February 1, 2006.

##### *Sec. 505. Limitation on Expenses and Representational Allowances*

The conference agreement includes a revision of House sections 504 and 505 and Senate sections 6004 and 6005. The agreement combines these provisions into a new section 505 which addresses both a limitation on representational allowances as well as a limitation on entertainment expenses to also include recorded music, live artistic performances, personal gifts and furnishings.

##### *Sec. 507. Prohibition Against Direct Funding for Certain Countries*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6007) which prohibits direct funding for certain countries, exempting Libya from the prohibition on Export-Import Bank programs and Overseas Private Investment Corporation financing.

##### *Sec. 509. Transfers*

The conference agreement includes a provision similar to that proposed by the House and Senate (section 6009) limiting transfers of funds in this Act.

##### *Sec. 510. Commercial Leasing of Defense Articles*

The conference agreement includes a provision similar to that proposed by the House and Senate (section 6010) which provides the same authority in current law regarding the commercial leasing of defense articles.

##### *Sec. 511. Availability of Funds*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6011) which addresses the availability of funds.

##### *Sec. 515. Notification Requirements*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6015), with modifications, which requires the application of reprogramming oversight procedures. The conference agreement includes a new heading, "Democracy Fund", subject to notification.

##### *Sec. 517. Independent States of the Former Soviet Union*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6017), with modifications. The agreement excludes subsection (a) of the House bill regarding restrictions on assistance and includes Kazakhstan and Uzbekistan in the list of countries for which funds are subject to notification procedures, as proposed by the House.

##### *Sec. 519. Export Financing Transfer Authorities*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6019) limiting the transfer authorities for funds, modified to apply to funds appropriated in title I of this Act.

##### *Sec. 520. Special Notification Requirements*

The conference agreement includes a provision proposed by the Senate (section 6020) which requires that funds for Serbia, Sudan, Zimbabwe, Pakistan, Liberia, and Cambodia be subject to the special notification procedures of this section, instead of a similar provision proposed by the House (section 520).

##### *Sec. 521. Definition of Program, Project, and Activity*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6021) which applies the definition for the terms "program, project, and activity" to the entire Act, the same as current law and as proposed by the House.

##### *Sec. 522. Child Survival and Health Activities*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6022) which addresses expenditure of funds made available for assistance under the heading "Child Survival and Health Programs Fund". The provision makes available for family planning/reproductive health activities not less than \$440,000,000 of funds appropriated under title II, rather than \$450,000,000 as proposed by the Senate. The House did not address this matter.

The conference agreement also includes language as proposed by the Senate which mandates a Government Accountability Office audit of the 2004 and 2005 "Child Survival and Health Programs Fund".

##### *Sec. 523. Afghanistan*

The conference agreement includes a provision similar to that proposed by both the House and Senate (section 6023) which addresses funds provided for humanitarian, reconstruction, and related assistance for Afghanistan. The conference agreement provides that not less than \$3,000,000 should be for reforestation activities, rather than \$5,000,000 as proposed by the Senate.

The conference agreement does not include a Senate proposal to provide \$3,000,000 for assistance for Afghan families and communities that have suffered losses as a result of the military operations. The House did not address this matter. The conferees support continued funding for this initiative and provide \$2,000,000 for this purpose. The conferees intend these funds to be used to support the same types of activities that are being carried out in Iraq through the Marla Ruzicka

Iraqi War Victims Fund. The conferees direct that a portion of these funds be used, consistent with the Senate provision, to employ a liaison between Afghan families and communities, the Afghan Independent Human Rights Commission, U.S. Armed Forces and USAID, to facilitate implementation of this initiative.

The conference agreement provides that not less than \$2,000,000 should be for Afghan human rights groups, as proposed by the Senate.

The conference agreement does not include language, proposed by the Senate, which recommends funding for a National Emergency Response and Preparedness System. The conferees expect the State Department to consider this project.

The conference agreement does not include a vetting requirement for the Afghan National Army, as proposed by the Senate, which would have been duplicative of vetting requirements included elsewhere in this Act.

The conference agreement contains language, similar to that proposed by the House and Senate, that provides that \$50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls, of which not less than \$7,500,000 shall be made available for small grants to improve the capacity of women-led Afghan nongovernmental organizations.

#### *Sec. 525. HIV/AIDS*

The conference agreement includes a provision, similar to that proposed by the House, which conditions a portion of the United States contribution to the Global Fund to Fight AIDS, TB and Malaria on the progress of reforms to improve monitoring and evaluation of the effectiveness of Global Fund financing. The conference agreement conditions 20 percent, rather than 25 percent as in the House provision, and a clarifying change is made in paragraph (2).

#### *Sec. 526. Burma*

The conference agreement includes language, similar to that proposed by the Senate (section 6031), regarding assistance for Burma. The conferees endorse language on Burma contained in the Senate report.

The conferees recommend that in addition to assistance for Burmese refugees provided under the heading "Migration and Refugee Assistance", \$3,000,000 be made available for assistance for community-based organizations operating in Thailand to provide food, medical and other humanitarian assistance to internally displaced persons in eastern Burma. The conferees recommend \$4,000,000 for the Burma Border Consortium.

The conferees affirm that the responsibility for programs and activities regarding Burmese refugees and internally displaced persons resides with the United States Ambassador to Thailand.

The conference agreement does not include language proposed by the Senate restricting assistance to the central government of any country that is a major provider of weapons or defense-related equipment to the State Peace and Development Council (SPDC). The House did not address this matter.

The conference agreement does not include language proposed by the Senate restricting funding for the United Nations Office on Drugs and Crime (UNODC). The House did not address this matter. The conferees remain concerned by reports that the UNODC in Burma is failing to report to other relevant United Nations organizations incidents of gross human rights violations encountered during the conduct of its programs in Burma.

#### *Sec. 531. Financial Market Assistance in Transition Countries*

The conference agreement includes a provision as proposed by the House which re-

quires not less than \$40,000,000 should be made available for building capital markets and financial systems in countries in transition. The conferees agree that the Secretary of State should direct that at least \$30,000,000 for this purpose come from accounts under the State Department's control.

#### *Sec. 532. Authorities for the Peace Corps, Inter-American Foundation and African Development Foundation*

The conference agreement includes a provision proposed by the Senate (section 6032), and similar to that proposed by the House (section 532), which states that provisions of this Act or any other Act, shall not be construed to prohibit certain activities of the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act.

#### *Sec. 534. Special Authorities*

The conference agreement includes a provision similar to that proposed by both the House (section 534) and Senate (section 6034) which provides special authorities as follows:

In subsection (a), the conference agreement includes language proposed by the Senate which provides certain authority for assistance for Afghanistan, Pakistan, Montenegro, Lebanon, assistance to victims of war, displaced Burmese, and Iraq. The House did not include Iraq in the list of countries and provided the funds with more limited authorities.

In subsection (b), the conference agreement provides that funds appropriated for tropical forestry and biodiversity conservation activities may be used notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House provided that these funds may be used notwithstanding any provision of law that restricts assistance to foreign countries.

In subsection (c), the conference agreement provides authority for employment of personal services contractors in the United States by USAID notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House bill did not provide this authority.

The conference agreement does not include subsection (f) as proposed by both the House and Senate which addressed section 451(a) of the Foreign Assistance Act of 1961. The conferees agree instead to include language proposed by the Senate (section 6114) which extends until 2007 the application of law making certain Vietnamese nationals eligible for resettlement in the United States.

In subsection (h), the conference agreement includes \$10,000,000 for a contribution to the World Food Program from funds managed by USAID's Bureau for Democracy, Conflict and Humanitarian Assistance, as proposed by the Senate. The funds are made available notwithstanding any other provision of law as proposed by the Senate. The House proposed a \$6,000,000 contribution.

The conference agreement does not include subsection (i) as proposed by the House and Senate which addressed availability of funds for the National Endowment for Democracy. The conferees agree to address this issue in the "Democracy Fund" appropriation heading in title II of this Act.

In subsection (j), the conference agreement includes language similar to that proposed by the Senate that provides \$5,000,000 for American educational institutions in the People's Republic of China. The House did not address this issue.

In subsection (j), the conference agreement includes language similar to that proposed by the Senate which addresses assistance to Pakistan in accordance with requirements contained in Public Law 107-57. The House did not address this issue. The conferees agree to include language that extends the

"sunset provision" contained in Public Law 107-57.

In subsection (k), the conference agreement includes language similar to that proposed by the Senate that addresses the establishment of a Middle East Foundation. The House did not address this issue. The conference agreement establishes the Foundation with a limitation on United States contributions of \$35,000,000 and the requirement that United States contributions to the Foundation be matched by grants from other donors.

In subsection (l), the conference agreement includes language proposed by the Senate that amends sections 21(h)(1)(A) and 21(h)(2) of the Arms Export Control Act and section 541 of the Foreign Assistance Act. The House did not address this issue.

In subsection (m), the conference agreement includes language proposed by the Senate which extends authorities for refugee status for certain peoples of the Soviet Union, Vietnam, Laos and Cambodia. The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate that made funds available for administrative expenses of USAID with respect to programs in the West Bank and Gaza. The House did not address this issue. The conferees agree to address this issue in the "Economic Support Funds" appropriation heading in title II of this Act.

#### *Sec. 536. Eligibility for Assistance*

The conference agreement includes a provision similar to that proposed by both the House (section 536) and Senate (section 6036) which applies restrictions contained in this or any other Act with respect to assistance for a country.

#### *Sec. 537. Reservation of Funds*

The conference agreement includes a provision similar to that proposed by both the House (section 537) and Senate (section 6037) which provides that certain funds may be reprogrammed under certain conditions notwithstanding any other provision of this or any other Act.

#### *Sec. 539. Prohibition on Publicity or Propaganda*

The conference agreement includes a provision similar to that proposed by both the House (section 539) and Senate (section 6039) prohibiting the use of funds for publicity or propaganda purposes. The conferees have modified the section to provide that not to exceed \$25,000 may be made available to carry out the provisions of section 316 of Public Law 96-533, instead of \$750,000 as proposed by the Senate. The conferees agree to reconsider funding for this purpose next year.

#### *Sec. 542. Prohibition on Assistance to Foreign Governments that Export Lethal Military Equipment to Countries Supporting International Terrorism*

The conference agreement includes a provision similar to that proposed by both the House (section 542) and Senate (section 6042) which prohibits funds in this Act from being made available to any foreign government that provides lethal military equipment to certain countries.

#### *Sec. 546. Landmines*

The conference agreement includes a provision similar to that proposed by both the House (section 546) and Senate (section 6046) which provides the same authority in current law regarding the provision of demining equipment notwithstanding any other provision of law.

#### *Sec. 549. Haiti*

The conference agreement includes a provision similar to that proposed by both the



House (section 549) and Senate (section 6049), modified to address language proposed by the House in section 583, "Prohibition on Certain International Narcotics Control and Law Enforcement Assistance to the Government of Haiti."

The conferees agree to include language similar to that proposed by the Senate which establishes a total funding level of \$116,215,000 as requested from the following accounts: "Child Survival and Health Programs Fund", "Development Assistance", "Economic Support Fund", "International Narcotics Control and Law Enforcement", "Foreign Military Financing Program", and "International Military Education and Training".

The conferees agree to include language similar to that proposed by the House in section 583, revised to address the specific issues associated with the Haitian National Police (HNP). The conferees are concerned about members of the Haitian National Police or other individuals unlawfully using weapons, ammunition, and other lethal materiel that has been provided or sold by the United States Government and therefore require the certification included in section 549(c). The conferees understand that investigations into extrajudicial killings and other alleged incidents of human rights abuses by the police are currently underway but severely limited by the lack of investigative capacity within the HNP. The conferees request that not later than 60 days after the date of enactment of this Act, the State Department report to the appropriate congressional committees the findings of these investigations, including information on whether any United States-supplied or provided weapon or ammunition was used during those incidents.

The conference agreement does not include a provision proposed by the Senate requiring a report prior to funds being made available to support elections in Haiti. The conferees direct the Secretary of State to submit a report to the Committees on Appropriations within 30 days of enactment of the Act which (1) describes in detail the steps taken by the Haitian Transitional Government and the United Nations Stabilization Mission to provide adequate security to permit free and fair elections with broad based participation by all political parties, and to demobilize, disarm and reintegrate armed groups, and (2) provides an assessment of the effectiveness of such steps.

#### *Sec. 551. Limitation on Assistance to Security Forces*

The conference agreement includes a provision similar to that proposed by both the House (section 551) and Senate (section 6051) which prohibits funds in this Act from being provided to any unit of security forces if there is credible evidence of human rights violations.

#### *Sec. 554. Cambodia*

The conference agreement includes language similar to that proposed by the House (section 554) and Senate (section 6054) which addresses assistance for Cambodia.

The conference agreement does not include language as proposed by the House regarding international financial institution loans to the central Government of Cambodia.

The conference agreement includes language similar to that proposed by the Senate which prohibits assistance for the central Government of Cambodia with the exception of assistance for certain programs; makes \$15,000,000 available for activities to support democracy, rule of law, and human rights, including democratic political parties; and, provides such assistance notwithstanding section 541 of the Foreign Assistance Act.

#### *Sec. 556. Colombia*

The conference agreement includes language similar to that proposed by the House (section 556) and Senate (section 6056), and similar to current law which conditions the provision of assistance to the Colombian Armed Forces.

The conference agreement does not include a Senate provision requiring prior consultation with the Office of the United Nations High Commissioner for Human Rights in Colombia and with the appropriate congressional committees. The conferees expect the Secretary of State, prior to making the certifications required by this paragraph, to consider the opinion of the Office of the United Nations High Commissioner for Human Rights in Colombia regarding the conditions in section 556(a)(2) of this Act and to consult with the Committees on Appropriations.

#### *Sec. 559. West Bank and Gaza Program*

The conference agreement includes a provision similar to that proposed by both the House (section 559) and Senate (section 6059) which addresses funds available for the West Bank and Gaza Program, including a provision proposed by the House which requires the Comptroller General of the United States to conduct an audit of fiscal year 2006 funds and a provision proposed by the Senate which requires the Secretary of State to submit a report required in section 2106 of chapter 2 of title II of Public Law 109-13.

#### *Sec. 560. Contribution to the United Nations Population Fund*

The conference agreement includes a provision similar to that proposed by both the House (section 560) and Senate (section 6060) which addresses limitations on contributions for the UN Population Fund (UNFPA), amended to provide \$34,000,000 from the "International Organizations and Programs" (IOP) account and the "Child Survival and Health Programs Fund" account, of which \$22,500,000 shall be derived from IOP and shall be made available for the UNFPA.

The agreement does not include language proposed by the Senate which provided for exceptions to the limitations on the use of funds.

#### *Sec. 563. Funding for Serbia*

The conference agreement includes a provision proposed by the Senate (section 6063), and similar to that proposed by the House (section 563), which restricts assistance for the central government of Serbia, after May 31, 2006, for certain specified conditions.

#### *Sec. 565. Special Debt Relief for the Poorest*

The conference agreement includes a provision proposed by the Senate (section 6065), and similar to that proposed by the House (section 565), which provides the President authority to reduce debt owed to the United States as a result of certain guarantees. The conferees agree to include language proposed by the Senate that extends debt reduction to obligations for purchases of United States agricultural commodities under export credit guarantee programs. The House did not address this issue.

#### *Sec. 566. Authority To Engage in Debt Buybacks or Sales*

The conference agreement includes a provision proposed by the Senate (section 6066) and similar to a provision proposed by the House (section 566), which provides the same authority in current law to engage in debt buybacks or sales notwithstanding any other provision of law. The House limited this authority to notwithstanding any provision of law that restricts assistance to foreign countries.

#### *Sec. 567. Basic Education*

The conference agreement includes a provision similar to that proposed by the House

(section 567), which provides not less than \$465,000,000 from title II for basic education, including a total of \$365,000,000 from the "Development Assistance" account. The conferees note this is \$65,000,000 above the fiscal year 2005 level.

The conferees are aware of the need for programs in the developing world that increase access to quality education, including by removing financial impediments to attending school, training teachers, developing curricula, improving physical plant, and making school supplies more available. The conferees note that a number of developing nations have committed to achieving universal basic education by 2015, and that the World Bank Fast Track Initiative, to which the United States is a party, has identified certain countries for which this goal may be within reach with adequate donor support and technical assistance. The conferees want to ensure that the \$65,000,000 increase in funding for fiscal year 2006 is programmed to achieve the maximum and most dramatic results in a select number of countries, and direct USAID to program the increase only after consultation with the Committees on Appropriations.

The conference agreement includes a provision similar to that proposed by the House requiring the Comptroller General of the United States to prepare an analysis of United States-funded international basic education programs within six months of enactment. The conferees provide \$250,000 for this purpose. The conferees refer the Comptroller General to the provisions in House section 567 detailing what should be included in the analysis. The conferees also direct the Comptroller General to include an analysis of the staffing needs of United States Government agencies to carry out international basic education assistance programs and a description and analysis of United States Government contracts, grants, and cooperative agreements that are designed to achieve the goals of the basic education assistance program.

The conferees also agree to provide \$15,000,000 in basic education funding to expand and extend a pilot project to increase access to basic education by addressing the prohibitive fees that keep children, and particularly girls, out of school.

#### *Sec. 568. Reconciliation Programs*

The conference agreement includes a provision similar to that proposed by the House (section 568) and Senate (section 6068) which provides \$15,000,000 in ESF assistance for reconciliation programs and does not include a Senate proposal to make these funds available notwithstanding any other provision of law.

#### *Sec. 569. Sudan*

The conference agreement includes a provision similar to that proposed by the House (section 569) and Senate (section 6069) which addresses assistance to Sudan, providing up to \$70,000,000 under "Development Assistance" for Sudan, of which \$6,000,000 may be made available to USAID for administrative expenses.

The conference agreement includes subsection (b)(1) as in the Senate bill, limiting the availability of funds, and subsection (e) as in the House bill, defining certain regions as "outside of control of the Government of Sudan".

#### *Sec. 570. Trade Capacity Building*

The conference agreement includes a provision proposed by the House (section 570) which makes not less than \$522,000,000 available for trade capacity building assistance from several accounts in title II of this Act and \$20,000,000 from ESF for labor and environmental capacity building activities relating to the Central America Free Trade

Agreement. The Senate did not address this issue.

*Sec. 572. Zimbabwe*

The conference agreement includes a provision proposed by the Senate (section 6078) which requires the Secretary of the Treasury to take certain actions with respect to loans to the Government of Zimbabwe. The House did not address this issue.

*Sec. 573. Gender-Based Violence Training*

The conference agreement includes a provision similar to that proposed by the House (section 573) which addresses the use of funds to provide training for foreign police, judicial, and military officials, modified to state that such training shall be provided where appropriate.

*Sec. 574. Limitation on Economic Support Fund Assistance for Certain Foreign Governments That Are Parties to the International Criminal Court*

The conference agreement includes a provision similar to that proposed by the House (section 574), amended to include a provision similar to that proposed by the Senate (section 6086).

The conferees agree to language proposed by the House which addresses assistance for countries that are party to the International Criminal Court that have not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute. The conferees further agree to include as subsection (e), the Senate provision (section 6086), amended to delete reference to IMET funds.

*Sec. 575. Tibet*

The conference agreement includes a provision similar to that proposed by both the House (section 575) and Senate (section 6079) which provides that of the funds appropriated to the "Economic Support Fund" account, not less than \$4,000,000 should be made available to nongovernmental organizations which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities.

The conference agreement also provides that these funds be made available notwithstanding any other provision of law, the same as current law and as proposed by the Senate. The House proposed that these funds be made available notwithstanding any other provision of law that restricts assistance to foreign countries.

The conference agreement provides that \$250,000 should be made available for human rights and democracy programs through the National Endowment for Democracy, as proposed by the Senate. The House did not address this issue.

*Sec. 576. Central America*

The conference agreement includes a provision similar to that proposed by the House (section 576), amended to include language similar to that proposed by the Senate (section 6092).

The conferees agree to include language proposed by the House which provides that of the funds appropriated by this Act under the headings "Child Survival and Health Programs Fund" and "Development Assistance", not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2005 should be made available for El Salvador, Guatemala, Nicaragua and Honduras. The conferees direct that USAID not fund these increases from other fiscal year 2006 programs in the Western Hemisphere.

The conferees further agree to include language similar to that proposed by the Senate in section 6092, which provides not less than \$1,500,000 for electoral assistance, media and civil society programs, and activities to

combat corruption and strengthen democracy in Nicaragua and not less than \$1,500,000 for programs and activities to combat organized crime, crimes of violence specifically targeting women and corruption in Guatemala.

*Sec. 577. United States Agency for International Development Management*

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes a provision similar to that proposed by the House (section 577) which provides certain authorities to USAID. The conferees agree to continue authority that enables USAID to hire Foreign Service Limited employees to replace on a one-for-one basis individuals who were employed by USAID under other authorities, such as Personal Services Contracts (PSCs). To ensure that relatively junior Foreign Service Officers have an early opportunity to gain valuable overseas experience, the conferees provide \$10,000,000 to pay for such indirect costs as housing and transportation. These costs are routinely covered for PSCs and paid out of program accounts. In using these authorities, USAID should achieve annualized savings in administrative costs, including an estimated \$4,000,000 in fiscal year 2007. The conferees direct USAID to provide baseline data on administrative costs so these annual savings can be verified and tracked.

The conference agreement includes language under this section that allows USAID to use program funds to cover the costs of staff working to mitigate the effects of natural disasters. The conferees note that this authority should be used sparingly and only when necessary to enable USAID to cope with the consequences of natural disasters, such as those on the scale of Hurricane Mitch in Central America in 1998.

*Sec. 578. HIPC Debt Reduction*

The conference agreement includes a provision as proposed by the House (section 578) which addresses HIPC debt reduction. The Senate did not address this matter.

*Sec. 579. OPIC Transfer Authority*

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes a provision as proposed by the House (section 579), which authorizes the transfer of funds under title II of this Act to OPIC for certain purposes. The Senate did not address this matter.

*Sec. 580. Limitation on Funds Relating to Attendance of Federal Employees at Conferences Occurring Outside the United States*

The conference agreement includes a provision similar to that proposed by both the House (section 585) and Senate (section 6124) which prohibits funds for attendance of more than 50 employees at any single conference occurring outside the United States, modified to clarify that the prohibition applies to employees stationed in the United States attending international conferences.

*Sec. 581. Limitation On Assistance To Foreign Countries That Refuse To Extradite To The United States Any Individual Accused In The United States Of Killing A Law Enforcement Officer*

The conference agreement includes a provision similar to that proposed by the House (section 587) which prohibits funds for assistance under certain conditions associated with extradition of certain individuals, modified to provide a waiver of the restriction when the Secretary of State certifies to the Committees on Appropriations that such a restriction is contrary to the national interest of the United States.

*Sec. 582. Prohibition Against Direct Funding for Saudi Arabia*

The conference agreement includes a provision similar to that proposed by the House (section 588) which prohibits assistance to Saudi Arabia, modified to reflect current law.

*Sec. 583. Governments That Have Failed To Permit Certain Extraditions*

The conference agreement includes a provision similar to that proposed by the House (section 590) and Senate (section 6129) which prohibits funds for assistance under certain conditions when governments fail to permit the extradition of certain individuals, modified to provide a waiver of the restriction when the Secretary of State certifies to the Committees on Appropriations that such a restriction is contrary to the national interest of the United States.

*Sec. 584. Reporting Requirements*

The conference agreement includes a provision similar to that proposed by the Senate (section 6067) which requires a quarterly report on the uses of fiscal year 2006 funds for "Foreign Military Financing", "International Military Education and Training" and "Peacekeeping Operations", modified to change the date of the first report to April 1, 2006 and remove the reference to "hereafter."

*Sec. 585. Environment Programs*

The conference agreement includes a provision similar to that proposed by the Senate (section 6074) which addresses environment programs. The conference agreement also includes language similar to that proposed by the Senate with respect to the submission of the climate change report. The conferees expect that, pursuant to the August 2005 Government Accountability Office report (GAO-05-461), OMB and the Climate Change Science Program (CCSP) will explain in detail any changes in the Administration's annual climate change report content and format since fiscal year 2002. The conferees expect OMB and the CCSP to develop crosswalk tables to compare new and old report structures, definitions, categories, content, and format to ensure better assessment of changes in spending over time, specifically by agency and category. In addition, the conferees direct OMB in its fiscal year 2007 report to transmit information in the form of budget authority, expenditures, and obligations as has been consistently required by the Congress.

The conference agreement contains a subsection similar to current law and the Senate proposal regarding extractive industries and the international financial institutions. The House did not address this matter.

*Sec. 586. Uzbekistan*

The conference agreement includes a provision as proposed by the Senate (section 6075) and similar to current law.

*Sec. 587. Central Asia*

The conference agreement includes a provision similar to that proposed by the Senate (section 6076) regarding assistance to Central Asia.

*Sec. 588. Disability Programs*

The conference agreement includes a provision similar to that proposed by the Senate (section 6077) making available \$4,000,000 in ESF for programs and activities administered by USAID to address the needs and protect the rights of people with disabilities in developing countries. Of this amount, the conferees direct that \$1,500,000 be made available to organizations that specialize in advocacy for people with disabilities, to support training, technical, and related assistance for foreign NGOs that work primarily on behalf of people with disabilities in developing

countries, and \$2,500,000 be made available for equipment and other assistance for such foreign NGOs.

*Sec. 589. Discrimination Against Minority Religious Faiths in the Russian Federation*

The conference agreement includes a provision proposed by the Senate (section 6080) regarding assistance for the Russian Federation. The House did not address this matter.

*Sec. 590. War Crimes in Africa*

The conference agreement includes a provision similar to that proposed by the Senate (section 6081), requiring a certification by the Secretary of State before any funding may be made available to the central government of any country in which a person indicted by the Special Court for Sierra Leone or International Criminal Tribunal for Rwanda is living.

The conferees believe that Charles Taylor should stand trial for the crimes for which he has been indicted. In subsection (d), the conferees require a report by the President outlining the Administration's strategy for working with the Government of Nigeria to turn over Charles Taylor to the Special Court for Sierra Leone. If that report has not been received by 120 days following enactment of this Act, no funding may be made available for the central Government of Nigeria. This restriction is not intended to include support provided for peacekeeping operations in other countries.

*Sec. 591. Security in Asia*

The conference agreement includes a provision similar to that proposed by the Senate (section 6084) which (1) specifies military assistance for a number of countries in Asia; (2) makes funds available for the Philippines to address critical deficiencies identified in the Joint Defense Assessment of 2003; (3) permits funding for the Indonesian Navy, subject to the notification of the Committees on Appropriations; and (4) makes funds available for Cambodia notwithstanding certain provisions of this Act.

The conference agreement does not include language proposed by the Senate with respect to Nepal in this provision. These requirements are addressed in section 592.

*Sec. 592. Nepal*

The conference agreement includes a new provision similar to language proposed by the Senate in subsection (e) of section 6084 which addressed Nepal.

For purposes of determining whether the conditions for certification have been met, the conferees intend that "civil liberties" include due process under law, freedoms of speech, the press and association, and the right of movement; and "protecting human rights" includes (1) the release of all political detainees including those detained before February 1, 2005; (2) granting civilian prosecutors and judicial authorities, the National Human Rights Commission of Nepal (NHRC), the Office of the United Nations High Commissioner for Human Rights in Nepal, and international humanitarian organizations, unannounced and unimpeded access to all detainees, places of detention, witnesses, relevant documents and other requested information, and cooperating with these entities to identify and resolve all security related cases involving persons in government custody; (3) complying with international humanitarian law and ending torture, extrajudicial killings and other gross violations of human rights, and prosecuting and punishing individuals responsible for such violations; (4) restoring the independence of the NHRC in accordance with constitutional provisions, including providing adequate funding and staff; (5) complying with habeas corpus orders issued by Nepal's courts including all outstanding orders, and

the security forces are respecting such orders; and (6) ensuring that the Commission for Investigation of Abuse of Authority is receiving adequate support to effectively implement its mandate and that no other anti-corruption body is functioning in violation of the 1990 Constitution or contrary to due process.

*Sec. 593. Neglected Diseases*

The conference agreement includes a provision similar to that proposed by the Senate (section 6094) which allocates \$15,000,000 of the "Child Survival and Health Programs Fund" to fight neglected diseases. The conferees recognize that a multilateral initiative may be the most effective mechanism for leveraging and coordinating with additional contributions from other donors. The Administrator of USAID should consult with the Committees on Appropriations before a mechanism is chosen. Until such a mechanism is available, the Administrator should develop and implement the program through existing bilateral and multilateral mechanisms.

*Sec. 594. Orphans, Displaced and Abandoned Children*

The conference agreement includes a provision similar to that proposed by the Senate (section 6095) which provides not less than \$3,000,000 for activities to improve the capacity of foreign government agencies and NGOs to prevent child abandonment, address the needs of orphans, displaced and abandoned children and provide permanent homes through family reunification, guardianship and domestic adoptions.

*Sec. 595. Advisor for Indigenous Peoples Issues*

The conference agreement includes a provision similar to that proposed by the Senate (section 6097) that requires USAID to appoint an Advisor for Indigenous Peoples Issues.

*Sec. 596. Statement*

The conference agreement includes a provision similar to that proposed by the Senate (section 6112) which requires that funds in the specified accounts be allocated as indicated in the respective tables in this statement of the managers. Any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations.

*Sec. 597. Combatting Piracy of United States Copyrighted Materials*

The conference agreement includes a provision similar to that proposed by the Senate (section 6115) regarding the use of funds under the heading "International Narcotics Control and Law Enforcement" to combat piracy of United States copyrighted materials overseas.

*Sec. 598. Malaria*

The conference agreement includes a provision, similar to that proposed by the Senate (section 6125) which addresses malaria. The House did not address this matter. Further discussion of malaria is under "Child Survival and Health Programs Fund".

*Sec. 599. Oversight of Iraq Reconstruction*

The conference agreement includes a provision, similar to that proposed by the Senate (section 6131) which addresses authorities and funding for the Special Inspector General for Iraq Reconstruction (SIGIR), amended to extend the period of oversight for the SIGIR without providing additional funds as proposed by the Senate.

The conferees endorse oversight of United States reconstruction efforts in Iraq and therefore support the work of the SIGIR. The conferees intend that programs and operations of the Coalition Provisional Authority (CPA) that had been within the oversight jurisdiction of the Coalition Provisional Au-

thority Inspector General (CPA-IG) remain within the jurisdiction of its successor, SIGIR. The conferees understand that SIGIR has sufficient funds to carry out its activities through fiscal year 2006 and expect any additional funds necessary to complete SIGIR's work in fiscal year 2007 will be included in the fiscal year 2007 budget request for consideration in the fiscal year 2007 appropriations process.

With respect to Iraq's reconstruction, the conferees note the importance of an open and transparent process in developing projects, issuing contracts and fulfilling those contracts currently underway. The conferees encourage the State Department and the Defense Department to consider current proposals to use advanced software programs that provide solutions for soliciting contracts and ensuring that the bidding process is transparent and accountable.

The conferees are aware of a joint proposal by the Sabre Foundation and the Harvard Committee on Iraqi Libraries to enhance the quality and quantity of Iraqi university library collections. The conferees urge the State Department, working with other donors, to enhance and strengthen higher education in Iraq.

*Sec. 599A. Nonproliferation and Counterproliferation Efforts*

The conference agreement includes a provision similar to that proposed by the Senate (section 6134) which makes NADR funds available for certain nonproliferation and counterproliferation efforts, but does not include the reference to the Cooperative Threat Reduction program and the National Counter Proliferation Center as proposed by the Senate. The House did not address this matter.

*Sec. 599B. Promotion of Policy Goals at Multilateral Development Banks*

The conference agreement includes a provision, similar to that proposed by the Senate, which amends the International Financial Institutions Act by requiring the Secretary of the Treasury to inform the multilateral development banks and the executive directors of such banks of certain reform goals and to actively promote these reforms. The conferees believe these reforms would improve transparency, deter corruption, promote justice and accountability, protect whistleblowers, and enhance the quality of MDB-financed projects, and should be vigorously implemented. The House did not address this matter.

*Sec. 599C. Authorizations*

The conference agreement includes authorization language for the International Development Association, the African Development Fund, and the Asian Development Fund.

*Sec. 599D. Anticorruption Provisions*

The conference agreement includes a provision, similar to that proposed by the House that would withhold 20 percent of the funds for the World Bank's International Development Association (IDA) from disbursement until the Secretary of the Treasury makes a certification about a number of procurement issues that would increase transparency in the World Bank procurement process. The provision includes International Bank for Reconstruction and Development (IBRD) loans as well as IDA credit agreement or grants and project preparation advances, and "World Bank procurement guidelines" include the following World Bank Guidelines: Procurement Under IBRD Loans and IDA Credits; Guidelines: Selection and Employment of Consultants by World Bank Borrowers; and, all relevant Standard Bidding Documents applicable to World Bank-funded tenders. The Senate did not address this issue.

*Sec. 599E. Assistance for Demobilization and Disarmament of Former Irregular Combatants in Colombia*

The conferees include a provision that provides up to \$20,000,000 to demobilize and disarm former members of Colombian terrorist organizations. This funding may be made available if the Secretary of State certifies that certain conditions specified in the language are met.

*Sec. 599F. Indonesia*

The conferees include a provision, similar to that proposed by the Senate (section 6072), which conditions the availability of military assistance for Indonesia on a certification by the Secretary of State that certain conditions have been met. The conferees are grateful for Indonesia's contributions to the global war on terrorism, and recognize the important progress evinced by the government of Indonesia in advancing civilian control of the military. The conferees remain concerned with human rights in Indonesia, including the role of some Indonesian military officers in organizing and supplying militia groups during 1999 attacks in East Timor, and urge the Indonesian Government to bring those responsible to justice. The House did not address this issue.

*Sec. 599G. Report on Indonesian Cooperation*

The conferees include a provision, similar to that proposed by the Senate (section 6108), which requires a report by the Secretary of State on progress being made into the investigation and prosecution of the murders of two United States citizens and one Indonesian citizen in 2002.

**PROVISIONS NOT ADOPTED BY THE CONFEREES**

The conference agreement does not include a provision proposed by the House and the Senate (sections 504 and 6024) regarding "Limitation on Expenses". This issue is addressed in section 505, "Limitation on Expenses and Representational Allowances".

The conference agreement does not include a provision proposed by the Senate (section 6025) that prohibited certain funds from this Act from being used to procure aircraft. The House did not address this matter. The conferees have addressed this matter under the heading "International Narcotics Control and Law Enforcement".

The conference agreement does not include a provision proposed by both the House (section 526) and the Senate (section 6026) that addressed funding for democracy programs and instead creates a new appropriation in title II, "Democracy Programs" to accommodate the financing otherwise addressed in these title V provisions.

The conference agreement does not include a provision proposed by the House (section 572) or a provision proposed by the Senate (section 6089), regarding assistance for Cuba.

The conference agreement does not include a provision proposed by the Senate (section 6073), which prohibited funds from being used to fund any contract contravening section 8(d)(6) of the Small Business Act. This provision was not included because such a requirement is permanent law. The House did not address this issue.

The conference agreement does not include a provision proposed by the House (section 580) which provided authority to transfer up to \$100,000,000 to furnish reconstruction and stabilization assistance.

The conference agreement does not include a provision, similar to provisions proposed by the House (section 581) and the Senate (section 6083) which reduced unobligated balances.

The conference agreement does not include a Senate provision (section 6082) related to the admission and resettlement of refugees

to the United States. The House did not address this matter. However, consistent with the Senate provision, the conferees expect the Secretary of State to continue to utilize private voluntary and international non-governmental organizations with expertise in the protection needs of refugees in the processing of refugees overseas for admission and resettlement to the United States, and to utilize such organizations in addition to the United Nations High Commissioner for Refugees in the identification and referral of refugees.

The conference agreement does not include a House provision (section 583), the "Prohibition on Certain International Narcotics Control and Law Enforcement Assistance to the Government of Haiti". The issue is addressed under section 549, "Haiti", in the conference agreement. The Senate did not address this matter.

The conference agreement does not include a provision proposed by the House (section 584) that prohibited funds for assistance to Romania. The Senate did not address this issue.

The conference agreement does not include language regarding UNDP in Burma, as proposed by the Senate (section 6085). The House did not address this matter. The conferees appreciate the responsiveness of the UNDP's Washington-based staff to concerns with UNDP programs and activities in Burma.

The conference agreement does not include a provision proposed by the House (section 586) that limited the availability of funds while there is a vacancy at the head of the Office of Inspector General of the Bank. The conferees addressed this issue in title I of this Act as proposed by the Senate.

The conference agreement does not include the provision "Democracy Exception" as proposed by the Senate (section 6086). This issue is addressed in section 574. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6087) regarding "University Programs" and USAID. The House did not address this matter.

The conference agreement does not include a provision proposed by the House (section 589) regarding Export-Import Bank assistance for nuclear power projects.

The conference agreement does not include a Senate provision (section 6090) regarding funding for English language training in Francophone countries. The House did not address this matter. However, the conferees direct that funds made available under the heading "Economic Support Fund" be made available for such purposes.

The conference agreement does not include a provision proposed by the Senate (section 6091) regarding transfer of funds. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6092) "Organized Crime and Corruption in Central America". The House did not address this matter. The conference agreement addresses this issue under section 576 "Central America".

The conference agreement does not include a Senate provision (section 6093) regarding assistance for Iraq. The House did not address this matter. The conference agreement includes language under the heading "Economic Support Fund" to transfer \$5,000,000 to the Marla Ruzicka Iraqi War Victims Fund for assistance for families and communities that have suffered losses as a result of the military operations. The conferees direct USAID to: (1) support joint training for implementing NGOs to share lessons learned and improve coordination and communication; (2) explore approaches to help alleviate

emotional trauma; and (3) facilitate dialogue between victims, their communities, and United States and coalition armed forces to promote reconciliation and reduce civilian casualties.

The conference agreement does not include a provision proposed by the Senate (section 6096) "Forensic Assistance". The House did not address this matter. The conferees provide \$3,000,000 under the "Democracy Fund" account to support investigations, including DNA analysis, in cases of extrajudicial killings and child disappearances in Central and South America, in addition to funds otherwise made available for such purposes.

The conference agreement does not include a provision proposed by the Senate (section 6109) regarding a "West Papua Report" requiring the Secretary of State to submit a report regarding Indonesian troops, and current humanitarian and human rights conditions, in the Papua region of Indonesia. The House did not address this matter. The conferees direct the Secretary of State to submit, within 90 days of enactment of the Act, the report required by the Senate provision.

The conference agreement does not include a provision proposed by the Senate (section 6111) regarding "Assistance for Foreign Non-governmental Organizations". The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate (section 6114) that extends the eligibility of certain potential Vietnamese refugees to be considered refugees "of special humanitarian concern" and to be resettled in the United States. Instead, the conferees agree to address this issue in section 534 ("Special Authorities"). The conferees understand that this will be the last year such an extension will be necessary.

The conference agreement does not include a provision proposed by the Senate (section 6116) regarding a "Report on Anti-Retroviral Drug Procurement". The conferees request the Global AIDS Coordinator to submit the report required in section 6116 of the Senate bill as part of its annual reporting requirements. The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate (section 6117) regarding "Forced Repatriation of Refugees in Cambodia". The House did not address this issue. The conferees note that Cambodia has a long and tragic history as a nation of refugees and strongly urge the Government of Cambodia to demonstrate greater compassion with the plight of its Montagnard neighbors. The conferees encourage the United Nations and other organizations to help safeguard all Montagnard refugees returned to Vietnam. The conferees direct the State Department to provide a report to the Committees on Appropriations not later than 90 days after enactment of this Act detailing the concerns of the Special Representative of the Secretary-General for Human Rights in Cambodia with the January 25, 2005 Memorandum of Understanding between the United Nations High Commissioner for Refugees (UNHCR) and the Governments of Cambodia and Vietnam, an assessment of the validity of those concerns, and actions taken by UNHCR to address the concerns.

The conference agreement does not include a provision proposed by the Senate (section 6118) regarding "Transfer of Funds". Not less than \$450,000,000 is made available for a United States contribution to the Global Fund to Fight AIDS, TB and Malaria from funds appropriated under the headings "Child Survival and Health Programs Fund" and "Global HIV/AIDS Initiative".

The conference agreement does not include a provision proposed by the Senate (section 6119) that transferred \$50,000,000 to the FMF

account for assistance to support the African Union Mission in Sudan. While the conference agreement does not include additional funds for this Mission in Sudan, the Administration should expeditiously submit a request for any necessary funding.

The conference agreement does not include a provision proposed by the Senate (section 6120), "Support for Democracy and Governance Activities in Zimbabwe". This issue is addressed under the heading "Economic Support Fund". The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6121) regarding assistance for Venezuela. This issue is addressed under the heading "Democracy Fund" in title II of this Act. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6123) regarding the Export-Import Bank. The conferees direct that the Inspector General shall provide a written analysis to the Committees on Appropriations and other appropriate committees, including the Senate Finance Committee, within 90 days of appointment as to whether loan guarantees provided to an ethanol dehydration plant in Trinidad and Tobago met the conditions of section 2(e)(4) of the Export-Import Bank Act of 1945 or any provision in the Bank's charter. The analysis shall include whether "value added" methodology is routinely used by the Bank to determine whether or not a proposed loan guarantee or export credit meets the statutory test found in section 2(e)(4). The Inspector General shall also make recommendations as to whether it is appropriate to use such methodology in making a determination of substantial injury.

The conference agreement does not include a provision proposed by the Senate (section 6126) regarding "Report on Small Arms Programs" that required the Secretary of State to submit a report describing activities and progress by the State Department on the destruction of small arms and light weapons. The House did not address this matter. The conferees direct the Secretary of State to submit, within 180 days of enactment of the Act, the report required by the Senate provision.

The conference agreement does not include a provision proposed by the Senate (section 6127) regarding democracy programs in Iraq. This issue is addressed under the heading "Economic Support Funds" in title II of this Act. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6128) that addressed orphans and displaced and abandoned children. The House did not address this matter.

The conference agreement does not include a provision proposed by the Senate (section 6130) regarding a "Report on Reciprocity". The House did not address this issue.

The conference agreement does not include a provision proposed by the Senate (section 6135) regarding police training activities conducted by the State Department's INCLE bureau. The House did not address this matter. The conferees direct the Secretary of State to ensure that: (1) training is provided by instructors with proven records of experience; (2) the bureau has established procedures to ensure vetting of trainees for criminal or terrorist backgrounds and minimum age and experience requirements; (3) the bureau has established procedures that set standards for training and provide certification to meet such standards. The conferees further direct the Secretary to submit the report required by the Senate provision within 180 days of enactment of the Act.

The conference agreement adopts the title of the bill as proposed by the House.

#### CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, with comparisons to the fiscal year 2005 amount, the 2006 budget estimates, and the House and Senate bills for 2006 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2005 .....	22,310,592
Budget estimates of new (obligational) authority, fiscal year 2006 .....	22,867,945
House bill, fiscal year 2006 .....	20,311,677
Senate bill, fiscal year 2006 .....	22,122,189
Conference agreement, fiscal year 2006 .....	20,978,490
Conference agreement compared with .....	
New budget (obligational) authority, fiscal year 2005 .....	-1,332,102
Budget estimates of new (obligational) authority, fiscal year 2006 .....	-1,889,455
House bill, fiscal year 2006 .....	+666,813
Senate bill, fiscal year 2006 .....	-1,143,699

JIM KOLBE,  
JERRY LEWIS,  
JOE KNOLLENBERG,  
MARK STEVEN KIRK,  
ANDER CRENSHAW,  
DON SHERWOOD,  
JOHN E. SWEENEY,  
DENNIS REHBERG,  
JOHN CARTER,  
NITA M. LOWEY,  
DAVID R. OBEY,  
JESSE L. JACKSON, Jr.,  
CAROLYN C. KILPATRICK,  
STEVEN R. ROTHMAN  
CHAKA FATTAH,

*Managers on the Part of the House.*

MITCH MCCONNELL,  
ARLEN SPECTER,  
JUDD GREGG,  
RICHARD SHELBY,  
ROBERT F. BENNETT,  
CHRISTOPHER BOND,  
MIKE DEWINE,  
SAM BROWNBACK,  
THAD COCHRAN,  
PATRICK J. LEAHY,  
DANIEL INOUEY,  
TOM HARKIN,  
BARBARA A. MIKULSKI,  
DICK DURBIN,  
TIM JOHNSON,  
MARY L. LANDRIEU,  
ROBERT C. BYRD,

*Managers on the Part of the Senate.*

#### REAPPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The SPEAKER pro tempore. Pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), the order of the House of January 4, 2005, and upon the recommendation of the majority leader, the Chair announces the Speaker's reappointment of the following member on the part of the House to the Advisory Committee on Student Financial Assistance for a 3-year term:

Ms. Judith Flink, Morton Grove, Illinois

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the remaining motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

#### CONGRATULATING THE CHICAGO WHITE SOX ON WINNING THE 2005 WORLD SERIES

Mr. DENT. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 281) congratulating the Chicago White Sox on winning the 2005 World Series.

The Clerk read as follows:

H. CON. RES. 281

Whereas the Chicago White Sox won 99 games during the regular season and compiled the best record in the American League;

Whereas the White Sox, through great pitching, hitting, and superb defense dominated the playoffs with an impressive 11-1 record, beating the former world champion Boston Red Sox, the Los Angeles Angels of Anaheim, and the Houston Astros;

Whereas the White Sox have the distinction of participating in the longest game during World Series history of 5 hours and 41 minutes;

Whereas the White Sox, formed in 1901, earn the distinction of being world champions for the first time since 1917, ending an 88 year drought;

Whereas the White Sox swept the Houston Astros by winning 4 straight games in the World Series;

Whereas Jerry Reinsdorf, Chairman of the Chicago White Sox, has become only the third owner to win championships in two major sports; and

Whereas the White Sox organization, from Jerry Reinsdorf, General Manager Ken Williams, manager Ozzie Guillen, and all the players have reinvigorated America's pastime and made Chicagoans proud: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That Congress joins with all Americans in congratulating the 2005 World Series Champion Chicago White Sox.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 281.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Concurrent Resolution 281, offered by the distinguished gentleman

from Illinois (Mr. DAVIS). This bill would honor the dedication of the Chicago White Sox in winning the 2005 World Series.

For the first time since 1917, the Chicago White Sox have had the opportunity to bask in the national spotlight that accompanies winning the Major League Baseball world title. Not only did the title belong to them, but the entire post season did as well.

They swept the Boston Red Sox in three games, defeated the Anaheim Angels four games to one to become the American League Champions, and finally swept the Houston Astros in four games to clinch the World Series.

□ 2030

The Sox completed an 11-1 postseason run, showing the world their perseverance and teamwork.

The White Sox motto of "Win or Die Trying" was certainly observed throughout the entire season, not just in the postseason. The Sox showed that they were a force to be reckoned with by winning 99 games during the course of the regular season. They were 66-35 in games decided by two runs or less as well as 38-20 in one-run contests.

The celebration continues for the proud fans of the Chicago White Sox. The team kicked off their victory celebration by riding triumphantly into the heart of Chicago. Hundreds of thousands of fans lined the streets of the downtown area to catch a glimpse of the champion White Sox. Even Oprah Winfrey cleared a segment of her show to honor the team. According to first baseman Paul Konerko, "Chicago is second city no more."

I urge all Members to join me in commemorating this momentous event for the city of Chicago by adopting H. Con. Res. 281.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I represent one of the most interestingly diverse congressional districts in America. It is home to the Chicago White Sox, home to the Chicago Bulls, home to the Bears. It is home to Oprah Winfrey. It is home to the Magnificent Mile and all of the great downtown Chicago, and so I rise today as a proud Member representing the area from which the 2005 world champion Chicago White Sox hail.

First of all, I want to thank Representative JOHN SHIMKUS and the entire Illinois delegation for supporting this resolution. I also want to thank Speaker HASTERT. He has to be a White Sox fan for getting this resolution to the floor in such a timely manner.

The White Sox organization, led by Chairman Jerry Reinsdorf, a constituent of mine, Vice Chairman Eddie Einhorn, and General Manager Ken Williams, has managed to do what has not been done since 1917. They assembled a team led by former player and now coach Ozzie Guillen that won 99

games during the regular season and had the best record in the American League.

There are a number of amazing things about the 2005 White Sox that stand out. First of all, they led their division throughout the season. They have an outstanding group of young pitchers who dominated the regular season and the playoffs. They have great hitters who come through in the clutch. Perhaps the most impressive thing about them is the fact that they believed in themselves throughout the year and played as a team.

When you look at the line-up, there are no big-name superstars. As a matter of fact, they remind me of Chicago: blue collar workers getting the job done.

We will never forget the great starting rotation of Contreras, Buehrle, Garland, and Garcia who pitched four straight complete games during the championship run. Nor will we forget the great bullpen led by Politte, Jenks, Cotts, Marte, Hermanson, Hernandez and Vizcaino, which helped secure 11 victories throughout the playoffs. The bats of Konerko, the American League Championship Series Most Valuable Player; Jermaine Dye, the World Series Most Valuable Player; Crede, Iguchi, Uribe, Podsednik, Rowand, Everett, Pierzynski, and others keyed an offense that delivered in the clutch.

That offense and defense swept the defending world champion Boston Red Sox in three games. They ousted the Los Angeles Angels of Anaheim in five games; and in the World Series, they swept the Houston Astros, winning four straight games.

I would think that people like Luis Aparicio, Nellie Fox, Al Smith, Minnie Minoso, Bill Skowron and others have to look back in retrospect and say how proud they are of this new bunch.

I also want to commend Houston for being great competitors and for their fine season. The Chicago White Sox have brought a championship to Chicago, and for that we are all proud.

The championship, though, really pays tribute to all of those who struggled to get to this point. The great teams of the past and their players all cheered.

I also want to commend Frank Thomas who got hurt midway through the season, but he never gave up on his teammates; and he was right there all along cheering them on.

We also are, even as we celebrate this year, looking forward to next year because we expect them to be back. So, again, to Mr. Reinsdorf, Mr. Einhorn, the front office, all of the coaches and players, we salute you for an outstanding season. We also salute you for being a good neighbor and a good corporate citizen.

One of the things that many people do not know about the White Sox is their ownership and how civically and community involved they are, how relevant they are to the whole city of Chicago and to the State of Illinois. So, as

we savor this sweet victory, we will be back next year.

To my friends from Houston, let me just say that I am looking forward to eating high on the hog. We had a couple of bets out there, one with Representative POE. I am looking forward to the barbecue. And also I want Representative AL GREEN to know that I eat a hearty lunch. So I thank you all.

Mr. Speaker, I reserve the balance of my time.

Mr. DENT. Mr. Speaker, I yield as much time as he may consume to the gentleman from Illinois (Mr. KIRK), my distinguished colleague, who I am told is a Chicago Cubs fan.

Mr. KIRK. Mr. Speaker, I thank the gentleman from Pennsylvania for the time.

I want to recognize my two colleagues and the gentleman from Illinois (Mr. DAVIS) from the relevant district and to say as a die-hard Cubs fan, Congratulations.

We all know that had we seen the Chicago Cubs in the World Series, and I can speak from the heart as a Northsider, it would have been a quasi-religious experience; but, nonetheless, to see a Chicago team, especially the White Sox, who had gone without a World Series victory since 1917, this was quite an event.

We all know where the sympathies of our mayor lie. No question that he is a White Sox fan primarily, and they definitely prevailed.

I will take a point of personal privilege to congratulate two of my constituents, Jerry Reinsdorf, manager of the White Sox organization; and Bob Mazer, the principal shareholder who after many years of patient management and attending to this team pulled off a great victory.

If you lived in the Chicagoland area for the last couple of weeks, you would have not been able to find any oxygen in the system. We were all White Sox all the time, as well as it could be, and we only look forward, as a die-hard Cubs fan, to say maybe next year we will have a series on the El, between the South side and the North side, with an eventual, someday Cubs victory.

Anyway to my colleagues, congratulations. The South side has prevailed, and we congratulate you.

Mr. DAVIS of Illinois. Mr. Speaker, of course Dusty Baker likes to come to my district to eat catfish at Wallace's Catfish Corner, so we look forward to that and hope that it would happen. I want to thank the gentleman for his remarks.

It is my pleasure to yield as much time as he would consume to the gentleman from Illinois (Mr. RUSH), who shares the White Sox stadium. As a matter of fact, our districts come together right at the White Sox stadium. So I do not know if they are more Rush than Davis.

Mr. RUSH. Mr. Speaker, I want to thank sponsor of this resolution, my friend from the Chicago City Council, my friend in the civil rights movement,



my colleague here in the Congress, the Congressman from the Seventh Congressional District, Congressman DANNY K. DAVIS, for the lead that he took in terms of this particular resolution, the sponsoring of this resolution; and I want to thank him for all the work that he does on behalf of not only his constituents but the constituents of Chicago and the constituents of the Nation.

Mr. Speaker, it is proper that I would follow a Cubs fan because for a long time the Cubs have been known throughout the Nation as being Chicago's team, and that moniker was earned because the entire Nation sympathized with the Cubs. They have lost so much and they have lost for such a long time that they have really kind of endeared themselves in their losing manner to the Nation; and so, therefore, the Nation has responded to them accordingly.

But I stand here now to say to the Cubs fans and to all of the Nation really that there is a team in Chicago now that has earned the respect and the love and the endearment of all the citizens of the City of Chicago. We are not Chicago's team because of sympathy. We are Chicago's team because the Chicago White Sox have instilled a sense of pride in Chicago. Indeed, the Chicago White Sox are now the pride of Chicago.

Mr. Speaker, I rise to congratulate the White Sox for their dominant, excellent performance in the World Series and the playoffs, how they conducted themselves, both as professionals and how they conducted themselves as superior and supreme athletes. They made us all proud, particularly those of my constituents who share, as Congressman DAVIS said, share the ethos and share the pride and share the workman mentality of the City of Chicago with the Chicago White Sox.

The Chicago White Sox team epitomizes the lunch-pail approach, the lunch-pail mentality that I would like to think all of my constituents represent. This is the team of the little guy. This is the team of the unheralded heroes. This is the team that fights based on heart. They have got big hearts, not big names, but they have got big hearts, and their big hearts won the World Series.

Mr. Speaker, this win that we were able to experience over the last few days really united the City of Chicago unlike it has been united in recent memory.

I remember back in 1959 I was a 13-year-old lad, living in Cubs territory; and although all of my friends and my teachers and everybody, all those who I was associated with, they all were die-hard Cubs fans, but Chicago, the White Sox, kind of captured my imagination. I became a Chicago White Sox fan at 13 years old when they were in the American League pennant race, and since that time I have been following the team closely.

I have become friends with Jerry Reinsdorf and Eddie Einhorn and Kenny Williams; and it just gives me a sense of pride, gives my constituents a sense of pride just to know that within the neighborhood that we all reside in that we have a world championship team there. We have a World Series team there.

Mr. Speaker, the black and the white is all over the City of Chicago.

□ 2045

When I got off the plane last week from Washington here, the whole entire airport was an avalanche of black and white all over the airport, and people from far and near were coming trying to buy some of the White Sox logos and some of the White Sox t-shirts and some of their paraphernalia.

I am just so proud of this particular team. It is really a shot in the arm for those of us who work hard every day, those of us who do the right thing, those of us who really just put our hearts and our minds and our spirit out on the field. Sometimes we come back victorious and sometimes we do not come back victorious, but we still go out and approach our day-to-day activities with the kind of zeal and with the kind of understanding that this is fair. This is fair. We go and put everything, our guts on the ground, and if we do that, then sometimes we are able to be victorious.

The Chicago White Sox have really cemented the fact that if you just work hard you do not have to be the big names, you do not have to have the dazzling system. All you have to have is an organization of people from the elevator operator to the janitor all the way up to the president of the company, the owners of the company. If you have that kind of organization and you really, really have a single focus, you have the power of a made-up mind, you can accomplish and you can be victorious. The Chicago White Sox have shown that with the power of the made-up mind that they could be victorious.

Mr. Speaker, they started out this year saying they had one thing on their mind, that they were going to go to the World Series, and they did it. We are proud of them. They have shown the way, and I am just so grateful to have the opportunity to come and to speak on behalf of this resolution. So I want to congratulate the Chicago White Sox and their entire organization.

Lastly, Mr. Speaker, before I take my seat, I just want to say to my colleague from the Seventh Congressional District and to others, we will try to do all that we can to ensure that this franchise, that this organization, that this World Series champion has what it takes in order for them to continue on with their success.

I want to let the world know that we will be erecting a new public transportation system, a metro system, that will have a stop there at the White Sox field there, U.S. Cellular Field. The

Cell will have a metro stop there so that people from far and near can come. And if my colleagues from the Cubs part of the city, from the north side and from the other places, if they want to get on the metro and come to Comiskey Park to see some winning going on in the City of Chicago, then they are invited to come over. It does not take a lot of money. We invite them to come from the north side to the south side in order to see some victories in the City of Chicago.

Mr. DENT. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. EMANUEL), who hails right from Cub territory, no doubt about it, Wrigleyville.

Mr. EMANUEL. Mr. Speaker, I thank my colleague from Chicago for yielding me this time. I may have to go into a witness protection plan after this speech, given Wrigleyville is in my district.

As a fan of the Chicago Cubs, as those have noted and anybody listening tonight knows, the difference between the north side and the south side of Chicago when it comes to baseball is like deep dish pizza versus thin pizza. It is a serious, lifelong fight.

I will say as the proud father of an 8-year-old son, who took his son to the World Series game Sunday in the rain and 32-degree weather, which is a little more like a football game than a baseball game, and watched that grand slam and being there with my son, it was a great moment. It was a great moment for baseball, it was a great moment for Chicago, and a great moment for this country. And as a north sider, it was a great season for watching the Chicago White Sox, a great team.

Mr. DAVIS of Illinois. Mr. Speaker, let me just close by thanking all of those who have spoken. And I agree with my colleague from Illinois (Mr. KIRK) when he said that the City of Chicago and the Chicago White Sox have no greater White Sox fan than the mayor of the City of Chicago.

If you have never seen a ticker tape parade, if you have never seen a real outpouring in a city, you should have been there on Friday when Chicago put on one of the greatest displays of public affection upon an athletic team, an athletic enterprise that one could ever witness. So I want to thank the people of Chicago for their great display of support shown to the White Sox.

As a matter of fact, you would have thought that there was no other kind of Sox except White Sox in town. It was a great season, a great victory. Again, I congratulate the owners of the White Sox, I congratulate all of the players and the coaches, and say that we will be back next year.

Mr. Speaker, I yield back the balance of my time.

Mr. DENT. Mr. Speaker, I urge all of my colleagues to support the adoption of House Concurrent Resolution 281.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOUSTANY). The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 281.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4128, PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2005

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-266) on the resolution (H. Res. 527) providing for consideration of the bill (H.R. 4128) to protect private property rights, which was referred to the House Calendar and ordered to be printed.

#### THE MEN WHO GO TO WAR

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, in 1599 Shakespeare said this about the men who go to war: "From this day to the ending of the world, but we in it shall be remembered. We few, we happy few, we band of brothers; for he today that sheds his blood with me shall be my brother."

Some of those brothers from southeast Texas who shed their blood in Iraq were:

Specialist Adolf C. Carballo, Houston, Army;

Chief Warrant Officer Andrew Todd Arnold from Spring, Texas, Marines;

Specialist Scott Q. Larson, Jr., Houston, Army;

Captain Andrew R. Houghton, Houston, United States Army;

Lance Corporal Michael B. Wafford, Spring, United States Marine Corps;

Lance Corporal Thomas J. Zapp, Houston, Marine Corps;

PFC Jesus A. Leon-Perez, Houston, Army;

Lance Corporal Fred Maciel, Spring, Texas, United States Marine Corps;

Staff Sergeant Dexter S. Kimble, United States Marine Corps from Houston;

Sergeant Michael T. Robertson, Houston, Army;

Staff Sergeant Timothy J. Roark, Houston, United States Army;

Master Sergeant Ivica Jerak, Houston, United States Army.

These brothers died representing the United States of America, this band of brothers that we will remember. That's just the way it is.

#### TORTURE MUST NOT BE CONDONED BY THE U.S.

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, this morning the top story on the front page of the Washington Post describes in detail how the CIA has been hiding and interrogating al Qaeda and other prisoners in covert prisons around the globe. No one knows what the rules of the game are for the interrogations that take place there. There is no accountability, no genuine oversight. In fact, information about these facilities and their practices has been deliberately withheld from the Congress and the American people. In effect, the prisoners in these jails simply disappear.

Mr. Speaker, this is not what America stands for, this is more like Chile under Pinochet or Argentina under the junta.

We know now why Vice President CHENEY is so determined that the final defense appropriations conference report include exceptions to Senator McCain's provision against torture and the Markey provision prohibiting rendition. If those provisions are watered down or struck down by the defense conferees, then mark my words, Mr. Speaker, America will lose a piece of its soul. Let us reclaim the values and the principles that have made this country great.

Mr. Speaker, the text of the article in today's Washington Post is as follows:

[From the Washington Post, Nov. 2, 2005]

#### CIA HOLDS TERROR SUSPECTS IN SECRET PRISONS

(By Dana Priest)

The CIA has been hiding and interrogating some of its most important al Qaeda captives at a Soviet-era compound in Eastern Europe, according to U.S. and foreign officials familiar with the arrangement.

The secret facility is part of a covert prison system set up by the CIA nearly four years ago that at various times has included sites in eight countries, including Thailand, Afghanistan and several democracies in Eastern Europe, as well as a small center at the Guantanamo Bay prison in Cuba, according to current and former intelligence officials and diplomats from three continents.

The hidden global internment network is a central element in the CIA's unconventional war on terrorism. It depends on the cooperation of foreign intelligence services, and on keeping even basic information about the system secret from the public, foreign officials and nearly all members of Congress charged with overseeing the CIA's covert actions.

The existence and locations of the facilities—referred to as "black sites" in classified White House, CIA, Justice Department and congressional documents—are known to only a handful of officials in the United States and, usually, only to the president and a few top intelligence officers in each host country.

The CIA and the White House, citing national security concerns and the value of the program, have dissuaded Congress from demanding that the agency answer questions

in open testimony about the conditions under which captives are held. Virtually nothing is known about who is kept in the facilities, what interrogation methods are employed with them, or how decisions are made about whether they should be detained or for how long.

While the Defense Department has produced volumes of public reports and testimony about its detention practices and rules after the abuse scandals at Iraq's Abu Ghraib prison and at Guantanamo Bay, the CIA has not even acknowledged the existence of its black sites. To do so, say officials familiar with the program, could open the U.S. government to legal challenges, particularly in foreign courts, and increase the risk of political condemnation at home and abroad.

But the revelations of widespread prisoner abuse in Afghanistan and Iraq by the U.S. military—which operates under published rules and transparent oversight of Congress—have increased concern among lawmakers, foreign governments and human rights groups about the opaque CIA system. Those concerns escalated last month, when Vice President Cheney and CIA Director Porter J. Goss asked Congress to exempt CIA employees from legislation already endorsed by 90 senators that would bar cruel and degrading treatment of any prisoner in U.S. custody.

Although the CIA will not acknowledge details of its system, intelligence officials defend the agency's approach, arguing that the successful defense of the country requires that the agency be empowered to hold and interrogate suspected terrorists for as long as necessary and without restrictions imposed by the U.S. legal system or even by the military tribunals established for prisoners held at Guantanamo Bay.

The Washington Post is not publishing the names of the Eastern European countries involved in the covert program, at the request of senior U.S. officials. They argued that the disclosure might disrupt counterterrorism efforts in those countries and elsewhere and could make them targets of possible terrorist retaliation.

The secret detention system was conceived in the chaotic and anxious first months after the Sept. 11, 2001, attacks, when the working assumption was that a second strike was imminent.

Since then, the arrangement has been increasingly debated within the CIA, where considerable concern lingers about the legality, morality and practicality of holding even unrepentant terrorists in such isolation and secrecy, perhaps for the duration of their lives. Mid-level and senior CIA officers began arguing two years ago that the system was unsustainable and diverted the agency from its unique espionage mission.

"We never sat down, as far as I know, and came up with a grand strategy," said one former senior intelligence officer who is familiar with the program but not the location of the prisons. "Everything was very reactive. That's how you get to a situation where you pick people up, send them into a netherworld and don't say, 'What are we going to do with them afterwards?'"

It is illegal for the government to hold prisoners in such isolation in secret prisons in the United States, which is why the CIA placed them overseas, according to several former and current intelligence officials and other U.S. government officials. Legal experts and intelligence officials said that the CIA's internment practices also would be considered illegal under the laws of several host countries, where detainees have rights to have a lawyer or to mount a defense against allegations of wrongdoing.

Host countries have signed the U.N. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as has the United States. Yet CIA interrogators in the overseas sites are permitted to use the CIA's approved "Enhanced Interrogation Techniques," some of which are prohibited by the U.N. convention and by U.S. military law. They include tactics such as "waterboarding," in which a prisoner is made to believe he or she is drowning.

Some detainees apprehended by the CIA and transferred to foreign intelligence agencies have alleged after their release that they were tortured, although it is unclear whether CIA personnel played a role in the alleged abuse. Given the secrecy surrounding CIA detentions, such accusations have heightened concerns among foreign governments and human rights groups about CIA detention and interrogation practices.

The contours of the CIA's detention program have emerged in bits and pieces over the past two years. Parliaments in Canada, Italy, France, Sweden and the Netherlands have opened inquiries into alleged CIA operations that secretly captured their citizens or legal residents and transferred them to the agency's prisons.

More than 100 suspected terrorists have been sent by the CIA into the covert system, according to current and former U.S. intelligence officials and foreign sources. This figure, a rough estimate based on information from sources who said their knowledge of the numbers was incomplete, does not include prisoners picked up in Iraq.

The detainees break down roughly into two classes, the sources said.

About 30 are considered major terrorism suspects and have been held under the highest level of secrecy at black sites financed by the CIA and managed by agency personnel, including those in Eastern Europe and elsewhere, according to current and former intelligence officers and two other U.S. government officials. Two locations in this category—in Thailand and on the grounds of the military prison at Guantanamo Bay—were closed in 2003 and 2004, respectively.

A second tier—which these sources believe includes more than 70 detainees—is a group considered less important, with less direct involvement in terrorism and having limited intelligence value. These prisoners, some of whom were originally taken to black sites, are delivered to intelligence services in Egypt, Jordan, Morocco, Afghanistan and other countries, a process sometimes known as "rendition." While the first-tier black sites are run by CIA officers, the jails in these countries are operated by the host nations, with CIA financial assistance and, sometimes, direction.

Morocco, Egypt and Jordan have said that they do not torture detainees, although years of State Department human rights reports accuse all three of chronic prisoner abuse.

The top 30 al Qaeda prisoners exist in complete isolation from the outside world. Kept in dark, sometimes underground cells, they have no recognized legal rights, and no one outside the CIA is allowed to talk with or even see them, or to otherwise verify their well-being, said current and former U.S. and foreign government and intelligence officials.

Most of the facilities were built and are maintained with congressionally appropriated funds, but the White House has refused to allow the CIA to brief anyone except the House and Senate intelligence committees' chairmen and vice chairmen on the program's generalities.

The Eastern European countries that the CIA has persuaded to hide al Qaeda captives are democracies that have embraced the rule

of law and individual rights after decades of Soviet domination. Each has been trying to cleanse its intelligence services of operatives who have worked on behalf of others—mainly Russia and organized crime.

#### ORIGINS OF THE BLACK SITES

The idea of holding terrorists outside the U.S. legal system was not under consideration before Sept. 11, 2001, not even for Osama bin Laden, according to former government officials. The plan was to bring bin Laden and his top associates into the U.S. justice system for trial or to send them to foreign countries where they would be tried.

"The issue of detaining and interrogating people was never, ever discussed," said a former senior intelligence officer who worked in the CIA's Counterterrorist Center, or CTC, during that period. "It was against the culture and they believed information was best gleaned by other means."

On the day of the attacks, the CIA already had a list of what it called High-Value Targets from the al Qaeda structure, and as the World Trade Center and Pentagon attack plots were unraveled, more names were added to the list. The question of what to do with these people surfaced quickly.

The CTC's chief of operations argued for creating hit teams of case officers and CIA paramilitaries that would covertly infiltrate countries in the Middle East, Africa and even Europe to assassinate people on the list, one by one.

But many CIA officers believed that the al Qaeda leaders would be worth keeping alive to interrogate about their network and other plots. Some officers worried that the CIA would not be very adept at assassination.

"We'd probably shoot ourselves," another former senior CIA official said.

The agency set up prisons under its covert action authority. Under U.S. law, only the president can authorize a covert action, by signing a document called a presidential finding. Findings must not break U.S. law and are reviewed and approved by CIA, Justice Department and White House legal advisers.

Six days after the Sept. 11 attacks, President Bush signed a sweeping finding that gave the CIA broad authorization to disrupt terrorist activity, including permission to kill, capture and detain members of al Qaeda anywhere in the world.

It could not be determined whether Bush approved a separate finding for the black-sites program, but the consensus among current and former intelligence and other government officials interviewed for this article is that he did not have to.

Rather, they believe that the CIA general counsel's office acted within the parameters of the Sept. 17 finding. The black-site program was approved by a small circle of White House and Justice Department lawyers and officials, according to several former and current U.S. government and intelligence officials.

#### DEALS WITH 2 COUNTRIES

Among the first steps was to figure out where the CIA could secretly hold the captives. One early idea was to keep them on ships in international waters, but that was discarded for security and logistics reasons.

CIA officers also searched for a setting like Alcatraz Island. They considered the virtually unvisited islands in Lake Kariba in Zambia, which were edged with craggy cliffs and covered in woods. But poor sanitary conditions could easily lead to fatal diseases, they decided, and besides, they wondered, could the Zambians be trusted with such a secret?

Still without a long-term solution, the CIA began sending suspects it captured in the first month or so after Sept. 11 to its long-

time partners, the intelligence services of Egypt and Jordan.

A month later, the CIA found itself with hundreds of prisoners who were captured on battlefields in Afghanistan. A short-term solution was improvised. The agency shoved its highest-value prisoners into metal shipping containers set up on a corner of the Bagram Air Base, which was surrounded with a triple perimeter of concertina-wire fencing. Most prisoners were left in the hands of the Northern Alliance, U.S.-supported opposition forces who were fighting the Taliban.

"I remember asking: What are we going to do with these people?" said a senior CIA officer. "I kept saying, where's the help? We've got to bring in some help. We can't be jailers—our job is to find Osama."

Then came grisly reports, in the winter of 2001, that prisoners kept by allied Afghan generals in cargo containers had died of asphyxiation. The CIA asked Congress for, and was quickly granted, tens of millions of dollars to establish a larger, long-term system in Afghanistan, parts of which would be used for CIA prisoners.

The largest CIA prison in Afghanistan was code-named the Salt Pit. It was also the CIA's substation and was first housed in an old brick factory outside Kabul. In November 2002, an inexperienced CIA case officer allegedly ordered guards to strip naked an uncooperative young detainee, chain him to the concrete floor and leave him there overnight without blankets. He froze to death, according to four U.S. government officials. The CIA officer has not been charged in the death.

The Salt Pit was protected by surveillance cameras and tough Afghan guards, but the road leading to it was not safe to travel and the jail was eventually moved inside Bagram Air Base. It has since been relocated off the base.

By mid-2002, the CIA had worked out secret black-site deals with two countries, including Thailand and one Eastern European nation, current and former officials said. An estimated \$100 million was tucked inside the classified annex of the first supplemental Afghanistan appropriation.

Then the CIA captured its first big detainee, in March 28, 2002. Pakistani forces took Abu Zubaida, al Qaeda's operations chief, into custody and the CIA whisked him to the new black site in Thailand, which included underground interrogation cells, said several former and current intelligence officials. Six months later, Sept. 11 planner Ramzi Binalshibh was also captured in Pakistan and flown to Thailand.

But after published reports revealed the existence of the site in June 2003, Thai officials insisted the CIA shut it down, and the two terrorists were moved elsewhere, according to former government officials involved in the matter. Work between the two countries on counterterrorism has been lukewarm ever since.

In late 2002 or early 2003, the CIA brokered deals with other countries to establish black-site prisons. One of these sites—which sources said they believed to be the CIA's biggest facility now—became particularly important when the agency realized it would have a growing number of prisoners and a shrinking number of prisons.

Thailand was closed, and sometime in 2004 the CIA decided it had to give up its small site at Guantanamo Bay. The CIA had planned to convert that into a state-of-the-art facility, operated independently of the military. The CIA pulled out when U.S. courts began to exercise greater control over the military detainees, and agency officials feared judges would soon extend the same type of supervision over their detainees.

In hindsight, say some former and current intelligence officials, the CIA's problems

were exacerbated by another decision made within the Counterterrorist Center at Langley.

The CIA program's original scope was to hide and interrogate the two dozen or so al Qaeda leaders believed to be directly responsible for the Sept. 11 attacks, or who posed an imminent threat, or had knowledge of the larger al Qaeda network. But as the volume of leads pouring into the CTC from abroad increased, and the capacity of its paramilitary group to seize suspects grew, the CIA began apprehending more people whose intelligence value and links to terrorism were less certain, according to four current and former officials.

The original standard for consigning suspects to the invisible universe was lowered or ignored, they said. "They've got many, many more who don't reach any threshold," one intelligence official said.

Several former and current intelligence officials, as well as several other U.S. government officials with knowledge of the program, express frustration that the White House and the leaders of the intelligence community have not made it a priority to decide whether the secret internment program should continue in its current form, or be replaced by some other approach.

Meanwhile, the debate over the wisdom of the program continues among CIA officers, some of whom also argue that the secrecy surrounding the program is not sustainable.

"It's just a horrible burden," said the intelligence official.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### IN HONOR OF JOHN T. GARRISON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. HAYES) is recognized for 5 minutes.

Mr. HAYES. Mr. Speaker, I rise tonight to talk about a lifelong dedicated public servant and friend who has recently passed away. I am referring to John T. Garrison, Sr. To his family and friends he was simply known as Tom.

Tom was the only mayor that the town of Badin, North Carolina, has known since its incorporation in 1990. Tom was extremely active in day-to-day operations of the town and with little or no dissent could be described as the number one advocate for this small Stanly County community.

In addition to guiding the town of Badin, Tom was also active on numerous boards and commissions throughout the region. Tom served in leadership roles with the Stanly County Visitor and Tourism Bureau, the Rural Planning Organization for Stanly, Anson and parts of Union counties, the

Yadkin Pee Dee Lakes Project, the Badin Museum and the Better Badin Committee, and the League of Municipalities.

Prior to entering elected public service, Tom served his community in several other ways. He was a Paul Harris Fellow and past chapter president of his local Rotary Club in Albemarle, North Carolina. Tom was also an active member of the Stanly County Chamber of Commerce, Stanly County 2000 Committee, and maybe most importantly, Tom was an active member of the Committee of Boy Scout Troop 82.

Mr. Speaker, this great American answered the call to public service at an early age. As a young man, he entered military service and distinguished himself among his peers by earning a battlefield commission, the Silver Star, and numerous other awards and honors as he served his nearly 2 years in the European Theatre of Operations during World War II. Upon returning home, Tom served for 20 additional years in the North Carolina National Guard.

Mr. Speaker, most of us would consider that life to be full and complete, but not for Tom. Tom was married to his wife, Anne, until her passing, and brought up three children, Ellen, John, Jr., and Lenora, who combined have five children of their own. Tom also earned a college degree from the University of North Carolina at Chapel Hill and was a successful professional in the real estate and insurance industries as well.

Mr. Speaker, as you can see, Tom was extremely dedicated to his family, his community, and our Nation. Mr. Speaker, Tom Garrison embodied the great American pride and spirit that we all desire. He worked tirelessly along with his twin brother, Jim, who was very active in State and local politics, in an effort to create hope, opportunity, and prosperity for the people in his community, region, and State.

Mayor Tom Garrison will be remembered by all for his constant championing on behalf of his constituents and his willingness to dedicate his life to public service. I am proud to call Tom a friend and a neighbor, and I deeply regret his passing.

Tom, like many other champions around the Nation, did not seek public recognition for his efforts. He simply wanted to make the lives of the people in his community the best they could be.

#### LIBBY REPLACEMENT MORE OF THE SAME OLD THING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the more things change, the more they stay the same. The resignation of Scooter Libby as the Vice President's chief of staff after receiving a five-count indictment was appropriate and welcome. But Mr. Libby's replacement,

David Addington, is another long-time Cheney confidante who is part of the same secretive cabal of neoconservative ideologues, those who have deceived, fabricated, and added innuendo to march this country off to a bloody, destructive, and disastrous war.

Mr. Addington is mentioned in the Libby indictment, and there is convincing evidence that he was part of the campaign to discredit and damage anyone, including Ambassador Joe Wilson and Valerie Plame Wilson, who questioned the administration's misuse of intelligence to justify the Iraq invasion. So this is not exactly an administration house-cleaning. Instead of a badly needed culture change at the White House, what we are getting is business as usual.

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One Washington lawyer who knows Mr. Addington well described him this way in the New York Times: He said, "There are some people in the government who are diplomats and others in government who are warriors, and Addington certainly falls on the warrior side of that line." Great. Just what we need right now. Another arrogant, sharp-elbowed political dark artist.

Perhaps most disturbing of all, David Addington is pro-torture. David Addington is pro-torture. He makes the rest of the Bush administration look like an Amnesty International inspection team. More than a year ago, the Washington Post described Addington as "a principal author of the White House memo justifying torture of terrorism suspects" and "a prime advocate of arguments supporting the holding of terrorism suspects without access to courts." What a breath of fresh air, especially on the same day that we learned, courtesy of the Washington Post, that the CIA has been running a secret network of prison camps home to some of the most depraved interrogation techniques, often on detainees who do not have any useful intelligence to offer us. It is no wonder the Vice President's office has been trying to water down an anti-torture amendment, which passed the Senate 90 to 9, to allow an exemption for the CIA to continue cruel and degrading treatment of prisoners.

David Addington, a man privileged to occupy a position of authority in our government, has used his post to advocate ferociously for a war in which he is asked to sacrifice nothing.

Compare him to a modest and ordinary citizen laid to rest earlier today, Rosa Parks, who took personal risks to correct an injustice and ensure that America lived up to her ideals.

And compare Mr. Addington's cynicism to the fresh idealism I saw firsthand when I visited our soldiers in Iraq a month ago. These young Americans are selfless and heroic beyond belief. Some of them do have personal misgivings about our Iraq policy, but they know it is not their job to question the

mission, just to execute it. And this they do, knowing they could lose life or limb. Men and women who wear the uniform are the very best America has to offer. It pains me to think that their fates actually rest in the hands of the likes of David Addington.

Our troops deserve better. They deserve civilian leaders as principled and patriotic as they are. What they deserve most of all is a change in policy, one that ends this war and returns them home to their families as soon as possible.

The SPEAKER pro tempore (Mr. BOUSTANY). Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ORDER OF BUSINESS

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

#### H.R. 3478: AMEND THE INTERNAL REVENUE CODE TO PERMIT MILITARY DEATH GRATUITY TO BE CONTRIBUTED TO CERTAIN TAX-FAVORED ACCOUNTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, our men and women in uniform serve this Nation with great honor and distinction. Many give their lives for this country. It is for this reason I have introduced H.R. 3478, a bill to permit military families who receive the death gratuity to invest the full amount into certain tax-favored accounts.

Mr. Speaker, as the Members may know, a death gratuity is a \$100,000 payment paid to survivors of servicemembers whose death resulted from combat-related circumstances. Current tax law limits the amount that recipients of the death gratuity can place in tax-preferred accounts such as Roth, IRA, Health Savings Accounts, Archer Medical Savings or Coverdell Education Savings Accounts. This legislation would change that to allow recipients to contribute up to the full amount of the gratuity payment to any one of those accounts.

Mr. Speaker, as the families of our fallen heroes try to put their lives back together, they need all the help they can get. They should not have to worry about saving the death gratuity to pay for health care, college, or other expenses and then have the government come in and tax the interest on that

savings. This bill would help to ensure that that does not happen.

The need for this legislation, Mr. Speaker, was brought to my attention by Captain Michael Ceres, a constituent stationed at Marine Corps Air Station New River. Captain Ceres, who just returned from Operation Iraqi Freedom, contacted my office and suggested that Congress institute this change to ease the burden on grieving military families.

Mr. Speaker, I am able to report that the Joint Committee on Taxation has scored this legislation at no cost, meaning that the actual cost of this proposal is less than \$500,000 over 9 years.

We owe it to our fallen military heroes to expand the options of families who receive the death gratuity, families who have paid the ultimate cost with the loss of their loved one.

H.R. 3478 has also received the endorsement of The Military Coalition, a consortium of prominent national military and veterans organizations that represent more than 5.5 million members plus their families.

Mr. Speaker, 36 organizations support H.R. 3478. Let me just name a few: the Air Force Association, AMVETS, Association of the United States Army, Marine Corps Reserve Association, National Guard Association of the United States, Naval Reserve Association, United Armed Forces Association, Veterans of Foreign Wars, and many others.

And, Mr. Speaker, let me also say that we have bipartisan support for this legislation already, and I will insert into the RECORD those groups that do support this legislation.

THE MILITARY COALITION,  
Alexandria, VA, October 26, 2005.

Hon. WALTER JONES, Jr.,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE JONES: The Military Coalition (TMC), a consortium of nationally prominent military and veterans organizations, representing more than 5.5 million members plus their families and survivors, is writing to express our strongest support for H.R. 3478. This bill would allow military survivors additional savings options for the increased death gratuity amounts first authorized in the FY2005 Emergency Supplemental Appropriations Act and expected to be permanently authorized in the FY2006 National Defense Authorization Act.

The new \$100,000 death gratuity provides greatly improved compensation for the military survivors and their families. H.R. 3478's provision to allow survivors to invest death gratuity lump sums in Roth IRAs and certain other savings accounts is a logical extension of efforts to increase protections and benefits for military widows and their families.

The Military Coalition thanks you for introducing this legislation and for your leadership on issues affecting all servicemembers and their families. We pledge our strong support in seeking enactment of this important legislation.

Sincerely,

The Military Coalition:  
Air Force Association.  
Air Force Sergeants Association.  
Air Force Women Officers Associated.

American Logistics Association.

AMVETS.

Army Aviation Association of America.

Association of Military Surgeons of the United States.

Association of the United States Army.

Chief Warrant Officer and Warrant Officer Association of the United States Coast Guard.

Commissioned Officers Association of the United States Public Health Service Inc.

Enlisted Association of the National Guard of the United States.

Fleet Reserve Association.

Gold Star Wives of America.

Jewish War Veterans of the United States of America.

Marine Corps League.

Marine Corps Reserve Association.

Military Chaplains Association of the United States of America.

Military Officers Association of America.

Military Order of the Purple Heart.

National Association for Uniformed Services.

National Guard Association of the United States.

National Military Family Association.

National Order of Battlefield Commissions.

Naval Enlisted Reserve Association.

Naval Reserve Association.

Navy League of the United States.

Non Commissioned Officers Association.

Reserve Enlisted Association.

Reserve Officers Association.

The Retired Enlisted Association.

Society of Medical Consultants to the Armed Forces.

United Armed Forces Association.

United States Army Warrant Officers Association.

USCG Chief Petty Officers Association.

Veterans of Foreign Wars.

Veterans' Widows International Network.

Mr. JONES of North Carolina. Mr. Speaker, in this letter from the Coalition, they wrote: "The new \$100,000 death gratuity provides greatly improved compensation for the military survivors and their families. H.R. 3478's provision to allow survivors to invest death gratuity lump sums in Roth IRAs and certain other savings accounts is a logical extension of efforts to increase protection and benefits for military widows and their families.

"We pledge our strong support in seeking enactment of this important legislation."

Mr. Speaker, today, I call upon my colleagues to support H.R. 3478 to expand the options of our military families whose loved ones have given their lives in the name of freedom and in the defense of our Nation.

Mr. Speaker, I close by asking God to please bless our men and women in uniform, I ask God to please bless the families of our men and women in uniform who have lost ones, and I ask God to please bless America.

#### TRICKLE-DOWN ECONOMICS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFazio) is recognized for 5 minutes.

Mr. DEFazio. Mr. Speaker, the Republicans have attempted to remake themselves as fiscal conservatives despite the fact that, with George Bush

in the White House and the Republicans in charge of the House and the Senate, that the debt of the United States of America has increased by 62 percent, over \$8 trillion. They are borrowing \$1.4 billion a day to run the government. They are borrowing every penny of the Social Security surplus and spending it on other things, including tax cuts for the wealthy.

Now they want to cut. What do they want to cut? Students loans, Medicare, Medicaid, foster care, and other programs that are important to struggling American families, under the guise of fiscal responsibility.

Now they want to do \$50 billion of cuts, but they also want to do \$70 billion of tax cuts for the wealthiest among us. They want to make permanent the cuts in capital gains taxes. They want to reward wealth, not work; and they want to make permanent the cuts in dividend taxes. In order to facilitate that, they want to cut these other programs.

They want to benefit approximately 1 percent of the society, those who earn over \$300,000 a year and have estates worth more than \$6 million. But one thing we have got to give them is they are relentless and consistent and they are successful. Last year, the IRS says that 99 percent of the people in America saw their real incomes decline. Everybody who earned less than \$300,000 after inflation saw a decline. Up to \$1.3 million, they did okay. Over \$1.3 million, they did phenomenally well. Now the President's Tax Commission says that is exactly what the future should be. That is trickle down. We want more for the wealth, not for those who work.

Their proposals are extraordinary. They would say that dividends should be free of tax. So if one is someone who is lucky enough to be born into a wealthy family, they inherit millions of dollars and they invest it in dividend-paying stocks, they would never pay a penny in Federal taxes because they are a wealth creator, they are a job generator, they are trickling down on the rest of America. Is that not nice of them? But they would not contribute to the society.

And then we have stocks. Well, on stocks they want to say 75 percent of the gain should be tax-free, again benefiting, for the most part, the same people. But the funny thing they are doing here is they want to talk about wealth creators and entrepreneurs, but they stick it to the small business people.

If one has a small business, they build it up and they sell it for a million bucks, guess what? Their tax rate is 33 percent under the President's new proposal. But if they have been speculating in the stock market, they would only have to pay at 8 percent. If they had been happy enough or lucky enough to inherit money and clip dividend coupons, they would have paid 0 percent. But, no, if they built up their small business, they are going to pay 33 percent; and those suckers who work

for a living, they will pay on every penny of income. Somebody who earns \$25,000 a year will pay a tax rate at about three times the person who invests in stocks and realizes capital gains.

This is their vision of the world: trickle down economics, trickling on the majority of America and last year trickling on 99 percent of the people in America. It is working well, they say, and we should do more of the same. And, ironically, they want to borrow money to perpetuate this. They are going to take all the Social Security surplus and spend it in part to finance these long-term tax cuts for the wealthiest among us.

They should be ashamed, and trickle-down economics does not work.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### ORDER OF BUSINESS

Mr. FORBES. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### CAMDEN COUNTY LANDFILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. FORBES) is recognized for 5 minutes.

Mr. FORBES. Mr. Speaker, most of us believe we are sent to Washington, DC, to protect the health, safety, and welfare of the people we represent. I rise today with deep concern that the inaction of two Federal agencies is threatening the welfare of my constituents and the environmental treasures of my district.

As I speak, the Army Corps of Engineers and the Environmental Protection Agency are sitting on their hands witnessing the possible construction of one of the largest landfills in America near the Virginia-North Carolina border.

While it saddens me that the elected officials of one of North Carolina's most beautiful counties would pollute their community with the garbage of over 20 States, I do not represent that county. However, when the safety and drinking water of my constituents and the ecological health of my district is put at risk, I cannot remain silent.

Camden County, North Carolina, has approved a mega-landfill to be located less than 1,000 yards south of the City of Chesapeake, Virginia, and adjacent to two environmental treasures: the Dismal Swamp Canal and the Dismal Swamp National Wildlife Refuge.

This mega-landfill will cover almost 500 acres, reach a height of 280 feet, extend 2.5 miles in length, and upon full construction will be visible 20 miles away. The giant landfill would cram the garbage of over 100 million people in over 20 States into a county with less than 9,000 people. Garbage from New York City would be barged in mass into a tidewater port and transported via a fleet of 1,000 garbage truck trips per day on congested roads and bridges, including the Federally-funded Route 17, which connects Virginia and North Carolina.

One would trust that, given something of this magnitude, that careful consideration, study, and deliberation would have been conducted prior to approval. One would trust that, since this mega-landfill will be situated in the midst of one of the most ecologically valuable wetland areas on the East Coast, that public hearings were held, detailed surveys conducted, and scientists and ecologists consulted. One would trust that, given the fact that this landfill would be situated in a flood zone and within storm surge area for major hurricanes, that emergency plans had been formulated and Federal agencies sought for advice. One would certainly trust the very people who live, work, and rear their children in this area would have had an opportunity for public input.

But, Mr. Speaker, that is not the case. No water quality studies were conducted by the Corps, no ecological studies performed by the EPA, no Federal advice, no warnings.

But here is the real issue: Had this dump site been proposed less than 1,000 yards north in Virginia, it would have been subject to all the appropriate scrutiny. There would have been public input, Federal agency comment, analysis of alternative sites, and environmental studies, all because the site would have been located within a different district of the Army Corps.

□ 2115

How is it that on one side of the border small farmers and businesses are subject to intense scrutiny from the Army Corps, whereas on the other side of the border a 500-acre landfill does not even raise a Federal eyebrow? And if dumping 83 million tons of garbage in a flood zone does not require the EPA to do an environmental study, what does?

It is inconceivable to me that the Federal Government is allowing bureaucratic entanglements and inertia to obstruct its most primary duty, to protect the citizens and resources of the United States. I urge General Strock and the Army Corps of Engineers to resolve the internal discrepancies that allow a landfill that impacts two areas so similarly to be treated so differently. And I call upon the Environmental Protection Agency to step up to the task they have been charged with, to protect the environment and preserve it for our children and grandchildren.



# FEED THE RICH, STARVE THE POOR

The SPEAKER pro tempore (Mr. CONAWAY). Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, we are in the midst of an energy crisis. Gas is around three bucks a gallon and utilities are now predicting that families could pay as much as 70 percent more to heat their homes this winter. Natural gas prices are so high, the Energy Department predicts that the average bill will be \$350 more this winter. Home heating oil, used by many in the Northeast and the Midwest, has skyrocketed.

But while American families struggle with sky-high energy bills, oil and gas companies are facing an entirely different crisis: what to do with all the cash. For example, Exxon-Mobil recently reported that their profits increased by 75 percent in the third quarter. Their revenues were \$100 billion. Shell said that their earnings increased 68 percent; Phillips' third quarter, 89 percent; BP-Amoco, a 34 percent rise in quarterly earnings.

American families are struggling with massive energy bills that are cutting into their living expenses while energy companies are reaping huge profits. Henry Hubble, the vice president for Exxon-Mobil, head of investor relations, said, "You just got to let the marketplace work."

I agree with the oil companies, let the marketplace work. Now, what do I mean by that? This Congress, the Republican Congress, gave Big Oil \$14 billion in taxpayer subsidies to drill for oil. I am tired of this corporate welfare.

You want to do your business plan? Go drill for oil. We are not going to subsidize it so people have to pay three bucks a gallon at the pump and on April 15 have to subsidize the oil companies, who are making \$100 billion of revenue a year, \$9 billion in a single quarter, profits up 89 percent, record numbers; and what are we asking the taxpayers to do, struggling to make ends meet for housing, education, health care needs? We are going to subsidize Big Oil, and while we are on top of it, we are going to cut home heating assistance for the elderly in this country.

What Congress would actually cut home heating assistance for senior citizens, yet provide Exxon-Mobil \$16 billion to execute their business plan? A Republican Congress, of course.

Now, this should make sense to you for one simple reason: since 1980, the big oil companies have contributed \$220 million to the Republican Party in total, to candidates, and they get \$16 billion in return. You cannot get an investment like that even on Wall Street. They are one of the largest contributors to the Republican Congress and the Republican Party, and they get a huge taxpayer-funded bailout when you consider the refining bill for \$2 bil-

lion, the oil and gas bill. The Republican Congress, when it comes to Big Oil, is the gift that keeps on giving.

There is a cost to this corruption. It comes in the stripes and colors of a \$14 billion taxpayer subsidy to Big Oil, who are making record profits. Pharmaceutical companies are one of the biggest contributors. They get \$132 billion in additional profits in the prescription drug bill. You have an energy bill that we talked about. You have a corporate tax bill.

They were trying to figure out a \$5 billion problem, so what do we do? We took \$150 billion and threw it at that problem. Who is picking up the tab? The taxpayer. There is a cost to the taxpayers of this country for the culture of corruption. We saw it in the energy bill. And now all of a sudden Republicans are all upset with figuring out what they are going to do to really punish Big Oil.

I say it is time we give the taxpayers back their \$14 billion in taxpayer subsidies from the oil companies, the \$2 billion back from the refiners, and let the marketplace work its wonder. You want to do your business plan, you will do your business plan; but I am not having the taxpayer subsidize you, all the while we are going to literally cut assistance this winter to our elderly and our most vulnerable.

You cannot give out money fast enough to the energy companies who are making massive profits, and then on the other hand cut funding for those who need it most. You cannot have a policy in this country that says to the oil companies, who are reaping huge profits, that is their business, but we should not subsidize their business, we are going to give you more while we cut those who are struggling. Those are not the values of this country, those are not the values of the Democratic Party, and, most importantly, thank God, those are not the values of the American people.

We need a change. We need new priorities. These are the wrong priorities for America's future. We can do better, Mr. Speaker. It is time we return the people's House to the people. When that gavel comes down, Mr. Speaker, it is intended to open the people's House, not the auction house; and when it comes to the energy bill and prescription drug bill, the corporate tax bill, this House has looked like the auction house.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

(Mr. BISHOP of Utah addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

(Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. WESTMORELAND) is recognized for 5 minutes.

(Mr. WESTMORELAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

## OUT OF IRAQ CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from California (Ms. WATERS) is recognized for 60 minutes as the designee of the minority leader.

Ms. WATERS. Mr. Speaker, I come before the House this evening as one of the organizers of the Out of Iraq Caucus to talk about what we have done in that caucus, what we are attempting to continue to do, and where we feel we are at this point.

We now have 69 Members who have signed up as part of the Out of Iraq Caucus. We have been meeting on a regular basis. We have had invited speakers and experts come to our caucus to talk about the war in Iraq, to talk about our image in the world as it relates to the war in Iraq, to talk about any number of subjects to help us try and guide this House and this Nation on this war. We think it is extremely important for the Members of Congress to be involved in this way because there are so many questions that are being raised by the American public about the war in Iraq.

When we organized this caucus, we did not organize the caucus with the conclusion that we had to get out right now. We did not organize the caucus with the strategy to adopt an exit strategy or to try and force the administration to adopt an exit strategy. We did not organize the caucus around the idea that we should stay there for as long as it takes to train Iraqi soldiers and then exit.

We simply organized the Out of Iraq Caucus because we all felt that we must get out of Iraq, and we did not try to say when. We did not even try to say how. We wanted to bring together the kind of discussion that would lead us to adopting the right kind of strategy, to provide some leadership to the Congress of the United States and to this administration.

While we have been doing that, over 2,032 U.S. soldiers died while serving in Iraq as of November 2. In the month of October, 93 United States soldiers died in Iraq. October was the fourth deadliest month for U.S. soldiers since the war began on March 29, 2003, and the deadliest since January when 106 U.S. soldiers died. The second most violent month was November 2004, when Americans battled Sunni Arab rebels in Fallujah. The third most violent month was in April 2004, when U.S. soldiers fought militiamen loyal to the Shiite cleric in Najaf. More than 15,353 U.S. soldiers have been injured while serving in Iraq, and we are told there are over 404 amputees.

The administration has allocated about \$357 billion for military operations, reconstruction, embassy costs, and various foreign aid programs in Iraq and Afghanistan since the September 11 attacks. Of that \$357 billion, \$251 billion of that total has been for Iraq and about \$82 billion for Afghanistan.

Mr. Speaker, we are told, despite these casualties, despite these amputees, despite what appears to be our inability to get a handle on the insurgents and all of these roadside bombings, we are told that we are winning this war. As a matter of fact, the President rolled out May 1, 2003, on an aircraft carrier all decked out in the proper dress to accompany his speech and said "mission accomplished."

The American public has trusted that this administration knew what it was doing. They gave the administration the benefit of the doubt, even when Mr. Rumsfeld was being urged by people much more expert than he that we did not have enough troops on the ground in order to win the war. He insisted that he knew better what he was doing. He did not increase those numbers. The American public sees now that he did not know what he was talking about.

The American public has stayed with this administration despite the fact that the President said that we were going to get enough money from the oil wells in Iraq to take care of rebuilding the infrastructure. That has not happened. The insurgents continue to blow up the oil wells. We have gotten no money from the oil in Iraq.

The American people continue to try and trust the President of the United States, but the lack of getting a handle on these insurgents and the killing of our soldiers, the lack of getting any profits from the oil wells, the lack of being in control and getting a handle on what is going on in Iraq is causing the American people to move away from support for the President of the United States and this war.

At first, the American public was saying, no, we do not like the way this administration has handled this war, but we think perhaps the President may be right. Perhaps we need to stay there until we have trained enough Iraqi soldiers to wind out of the war.

But that does not appear to be happening. As a matter of fact, we keep

getting muddled information about how many Iraqi soldiers have been trained. We have been told numbers that we cannot confirm. We have been told that it is just a matter of time before we will have trained enough of these soldiers to whom we can turn over the operations.

We have had all of these different military operations. We started out with Operation Iraqi Freedom, which was the name of the entire Iraqi effort that began in March of 2003. At its height, we had over 300,000 troops in the region. Currently, we have about 139,000 U.S. soldiers in Iraq.

We had Strike and Awe, which described the initial military action in the opening hours and days of the war. We have had Operation River Gate, which took place in the al Anbar Province near the Syrian border. American forces were trying to retake three towns from al Qaeda insurgents.

□ 2130

Some 2,500 U.S. troops along with Iraqi forces participated in Operation River Gate.

Then we had Operation Iron Fist, similar to Operation River Gate, which occurred shortly before Operation River Gate.

Then we had Operation Lightning launched in early May 2005, to break the insurgency. Approximately 40,000 Iraqi troops and 10,000 U.S. soldiers were deployed in and around Baghdad.

Then we had Operation Matador. Operation Matador was launched in the first weeks of May 2005, after U.S. intelligence showed insurgents had moved into the northern Jazirah Desert after the losses in the cities of Fallujah and Ramadi.

Operation Spear began on June 17, 2005, with 1,000 Marines and Iraqi soldiers in western Iraq to hunt for insurgents and foreign fighters. Operation Spear took place in the Anbar province. The operation came one day after Air Force Brigadier General Don Alston called the Syrian border the worst problem in stemming the influx of foreign fighters to Iraq. Syria is under intense pressure from Washington and Baghdad to tighten control of its porous 380-mile border with Iraq. Yet we do not know whether or not the insurgents are really the Sunnis and al Qaeda inside Baghdad, inside Iraq, or really all of the insurgents coming from Syria.

Operation Dagger. About 1,000 U.S. Marines and Iraqi troops, backed by fighter jets and tanks, launched a second offensive Saturday against insurgents operating in restive Anbar province. That was called Operation Dagger. Operation Dagger aims to uncover insurgent training camps and weapons caches in the southern part of the Lake Tharthar area in central Iraq, 85 kilometers northwest of Baghdad.

And now, Operation Sword. Operation Sword included about 1,000 U.S. Marine soldiers and sailors from Regimental Combat Team-2, as well as

about 100 Iraqi soldiers. It was the fifth operation launched in late spring, early summer 2005, designed to pressure insurgents in the country's expansive and restive Anbar province west of Baghdad.

We are not in control of what is happening with this war that we launched because there were supposedly weapons of mass destruction. We are losing our soldiers. We are not getting Iraqi soldiers trained. The President of the United States said we may be there for the next 10 years.

The American people have had enough. I believe that those of us who are working in the Out of Iraq Caucus have had enough. It is time for us to review what we are doing. It is time for us to call on this President to tell the American people when and how we are going to get out, and we cannot accept that we will be there until hell freezes over if that is what it takes.

We cannot accept that all of these operations have not worked. We cannot accept that we cannot find a way to stop these roadside bombings. We cannot accept that we are bleeding the American taxpayer dollars with over \$1 billion a week being spent in Iraq and over \$1 billion a month being spent in Afghanistan. So we come here tonight to challenge the President and this administration.

Mr. Speaker, I am going to yield to my colleagues who have come here to discuss this very, very serious matter with us. First, my good friend and colleague, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentlewoman from California (Ms. WATERS) for her leadership in the Out of Iraq Caucus and for her leadership in the effort to achieve peace and to achieve a more rational U.S. foreign policy and to do the right thing on behalf of our country.

Mr. Speaker, I believe that the war in Iraq was wrong. I believe it was a mistake. This was a war based on fix. There were no weapons of mass destruction. There were no ties to al Qaeda. There were no nuclear weapons. There was no imminent threat to the United States. And with the acquiescence of this Congress, I am sad to say this country rushed into a war, a war that has turned out to be a violent quagmire, a war with no end.

Mr. Speaker, we have already spent some \$300 billion on this war in Iraq. There is no end in sight. We are told that if we are there for another 2 years that the figure will be up to \$1 trillion.

Now, think about it. What could we do with hundreds of billions of dollars? We could reduce our deficit and reduce the debt. We could actually do something very important in helping to insure some of the millions of Americans who do not have health insurance in this country. We could help to rebuild our schools and provide a first-class education to every single young person in this country. We could rebuild our infrastructure. Or we can put it toward

helping our veterans who have fought in the wars over the years, who have given so much of themselves, and who are sick and tired of getting nickled and dimed by this Congress with budgets that underfund the veterans' affairs every single year.

Mr. Speaker, I personally believe that the policy that we should pursue is one that requires the United States to end our involvement in Iraq. I have legislation that I have introduced that requires an end to the war in Iraq now, not 6 months from now, not a year from now, not at some date to be determined by the President. We have given him his chance, and he has come back and said that he just wants to stay there for the next decade. He does not seem to be mindful of the fact that everything that he said about this war has turned out to be false.

I want this war ended now. I think the majority of people in this country want this war ended now. They realize that this huge U.S. presence in Iraq right now is not calming the violence. They realize that we are now a major part of the problem.

There was no al Qaeda in Iraq before we got in Iraq. It is not just al Qaeda. It is other terrorist organizations, quite frankly, that are now sticking their nose in Iraq, trying to get at the United States. It is not about the future of Iraq. It is about the United States of America.

Now I believe that the time has come for the President to authorize an orderly and safe withdrawal of our troops. The legislation that I have introduced calls for that, right now. If it passes today, it would begin today. The legislation says that we can support all efforts to make sure that our troops have a safe and orderly withdrawal from Iraq. It says that we can support reconstruction efforts in Iraq, which I think is important. We helped destroy that country. We need to help rebuild that country. It says that we can support international forces as transitional security in Iraq. If other countries want to provide a transitional security force, we should be able to support that. Hopefully, some of the neighboring Arab countries will want to do that. We should be able to support a U.N. force or a NATO force going in.

But the bottom line is, I think it is clear to anybody who has been watching this, that the time has come to demand that no more U.S. forces be in Iraq. It is time to end this war.

Mr. Speaker, now I know that there are some, and I hear it a lot, every time those of us try to raise some questions and try to raise some dissent, there are those who say, well, you should not do that. It is somehow unpatriotic. You are not supporting our troops. You are not supporting our country. You are giving comfort to the enemy. I hear that all the time when I speak about my opinions on Iraq or when I hear others speak in ways that dissent from this current policy. Well,

nothing could be farther from the truth.

Let me tell you, it takes absolutely no courage at all for anybody in this House or in the United States Senate or in this administration to wave the American flag and say, stay the course and send more troops. It takes no courage at all. Because it is not us whose lives are on the line and, with very few exceptions, it is not our children whose lives are on the line. Over 2,000 Americans have lost their lives in a conflict that the President of the United States said would be a relatively short conflict that would be easily manageable and that would not entail these casualties. He was wrong. Two thousand Americans have now died, over 2,000 Americans. That is not counting the tens of thousands of innocent Iraqis who have lost their lives.

The President and his administration was wrong on this. We were not told the truth. I sat through all of those classified briefings with the Secretary of State, with the Secretary of Defense, with all of the intelligence agencies that they brought up here to tell us about what this war would be if we got into it, and everything they said was wrong.

Now, one of two things explains that fact. One, either our intelligence agencies are just so incompetent and so dumb that they got everything wrong; or, two, that this intelligence was exaggerated. Now, I do not believe that our intelligence agencies are dumb. I do not believe our intelligence agencies could get anything that wrong. We spend billions of dollars each year in supporting our intelligence agencies. I do not think, I do not believe that anybody believes that they got it that wrong.

What I think most people believe is that the intelligence that was presented to the Congress and to the United States people was the intelligence that this administration thought fit their argument, complemented their argument. It was not a balanced picture. It was what they wanted to present; and, as a result, there was a rush to war.

Mr. Speaker, we need to figure out a way now as to how to get out of this. It is imperative that we get out of this now. I have been to three funerals in the last few months in my own district of young men who have lost their lives in this conflict. I have seen their families grieve, their friends grieve. I do not want to see any more families have to go through that. I want this administration to come clean on what the facts are, on what their plans on, and also come clean on the intelligence leading into this war.

I want to say one thing about the Senate Minority Leader HARRY REID. I will tell you, I was never more proud of him than I was yesterday when he finally stood up and showed the commitment and showed the spine to ask the tough questions that people all over this country, Republican and Democrat

alike, have been asking, and that is, what was the intelligence that brought us into this war? Was it exaggerated? How was it manipulated? How could we have gotten it so wrong?

I want to tell my colleagues, Mr. Speaker, I think Democrats and Republicans alike believe, I am not saying in this Chamber, but I am saying throughout the country, believe that if, in fact, there are people in this administration who intentionally and deliberately exaggerated intelligence and manipulated intelligence to get us into this war, then those people should be fired and fired now.

What you saw was Scooter Libby's indictment is just the tip of the iceberg. Quite frankly, the President should fire Karl Rove now. He lied to the President of the United States. He lied to the American people. He told the President, along with Mr. Libby, that they had no knowledge of who leaked Valerie Plame's identity to the press. We now know that that is a lie. And the fact that this President sees no problem with keeping his top aide on after this man lied about something so serious, quite frankly, is very disturbing to this Member of Congress.

These are serious matters. War is a big deal. This is not something to be taken lightly. The great English conservative Edmund Burke once said, "A conscientious man would be cautious in how he dealt with blood." This administration claims to be conservative. Well, they should heed Edmund Burke's words. They have been too casual with how they have dealt with blood. They have been too casual with how they have deployed our troops overseas.

And the indifference that we see each and every day at press briefings by White House spokespeople, by the President; you never hear from the Vice President, so I cannot really say much about him. But this kind of casual attitude that everything is just great. Let us just stay the course. We are doing the right thing. It takes my breath away. I do not know if it is that they do not watch TV or they do not read the newspapers or they do not talk to those who are on the ground in Iraq or those families who have lost loved ones, but the fact of the matter is this is a serious matter.

I think the only way that we are going to see a change in course is for Members of Congress to organize, like we are doing here in this Out of Iraq Caucus, for people across this country to join in protest, to join in dissent, to start writing their Members of Congress and saying, we demand that you end this war and end it now. That is the only way we are going to see an end to this war. Because I am convinced, watching this administration in action, that nothing will change.

Sadly, I am convinced, by watching the leadership of this Congress and how they have behaved during these last few years of this war, with this indifference, with this kind of cover-up

mentality, to not question the administration, to not hold them accountable for anything, to not do our job with proper oversight, I am convinced that unless Members of Congress are pressured by their constituents, then we will not act here as well.

□ 2145

Mr. Speaker, let me just conclude by saying that I love this country more than anything, and nothing disturbs me more than to see us involved in a war that we have no business being in. Nothing disturbs me more than to see the loss of innocent lives that we see going on each and every day.

I think we are better. I think we can do better. You know, great nations sometimes misstep. Sometimes great nations make mistakes. It is up to great nations to fix those mistakes. We have made a mistake in Iraq. This is not about whether we honor our troops or not. I honor our troops. I want to do more for our troops.

I wish the people on the other side of the aisle would join us in demanding more money for our veterans. I am worried about all of those men and women coming back from Iraq with post-traumatic stress syndrome. I am worried that they are not going to get the health care they deserve.

I am worried that their families are not getting the benefits that they need and that they deserve. I am worried about people coming back to no jobs. So this is not about our commitment to our troops. We are committed to our troops. We honor them. We are in awe of their service. They have done what their country has asked.

This is about whether this policy is right or whether this policy is wrong. And if you believe, as many of us do, that this policy is wrong, then you need to stand up and you need to be counted, and you need to demand that this policy change and change now.

It is not patriotic to remain silent in the face of policies that you object to. That is not patriotism. That is cowardice. And we need to stand up, those of us who believe that this war is wrong, and I know that there are many who are silent right now who believe as we do that this war was wrong. They need to stand up and join with us.

Enough is enough. The gentlewoman from California (Ms. WATERS) put it eloquently and succinctly. Enough is enough. This war needs to come to an end. Not one more dollar, not one more death. This is the time to do it.

We are trying, with this caucus, to energize people on both sides of the aisle, this is not a partisan issue, to come together and demand that we change our policy. Our country is so much better. We are so much better than this. We stand for so much more than what is on display in Iraq.

And I hope, Mr. Speaker, that the White House listens to those of us in the United States Congress. Our numbers are growing each and every day who disagree with this war. And I hope

they are watching these public opinion polls and listening to people all across this land who are saying they do not want any more war, they do not want any more people to die.

They are tired of being engaged in a war that is dragging our good name into the mud. This is not America. We are so much better.

Mr. Speaker, I urge my colleagues to listen to what we are saying tonight, to join with us and hopefully help put this country on a better course. With that, Mr. Speaker, I thank the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MCGOVERN) for his eloquent and very thorough evaluation and assessment of what is happening in Iraq. He has been an absolute stalwart in trying to help bring this Congress to its senses and this administration. And I am so pleased that he was here this evening to further share with the American public our very, very deep concerns and our very deep feelings.

The gentleman's call for an end to this war, I think, is right on target. With that, Mr. Speaker, I yield to the gentlewoman from California (Ms. WOOLSEY) to further discuss not only her long-time involvement with trying to help frame a direction for this Nation, her long-time commitment to challenging this administration, about the way that it went into this war, and what has been happening since we have been in this war, all the work that she has done, the many nights that she has been on the floor, the resolution that she did so well on with this Congress.

Ms. WOOLSEY. Mr. Speaker, I thank the chairman of the Out of Iraq Caucus, the gentlewoman from California (Ms. WATERS), in bringing all of the voices together in the Congress, because we all have a lot to say. And we are all getting to the same conclusion, the conclusion that I reached a couple of years ago, actually. We do not need to be in Iraq. We are making a mistake. It is a faux war, and we need to bring our troops home now.

Mr. Speaker, I want to share a quote: "Victory means exit strategy, and it is important for the President to explain to us what that exit strategy is." Those words were not spoken by a Member of Congress, not by a prominent opponent of the Iraq war. They were not even spoken by this President about this war.

Those words were spoken in April 1999 about President Clinton's military campaign in Kosovo, and they were spoken by a Republican Governor named George W. Bush. But what a difference 6½ years makes. It is precisely an exit strategy that is missing from our Iraq policy.

With over 2,000 of our citizens dead, \$1 billion of tax dollars being spent in Iraq every week, the American people have a right to some answers to some important questions like, what exactly defines victory? What are the benchmarks of success? What is the long-

term plan? What does the end game look like? These are the questions that my leader of the Iraq Caucus has been asking about tonight.

We are paying for this war in blood and money. My home district lost a 23-year-old soldier less than a month ago. Why does the President insult us with empty platitudes about staying the course and staying in Iraq as long as it takes?

Mr. Speaker, I had the privilege of traveling to Iraq 1 month ago. I went with a few of my colleagues here in the House. The most rewarding, the most enlightening part of the trip was simply having dinner and talking with the enlisted men and women, particularly those from my district, California's 6th Congressional District. It is Marin and Sonoma counties just north of the Golden Gate Bridge across the bridge from San Francisco.

These troops are online over there, believe me. They know I am against this war. They knew I was. They looked me up before I got there. And they immediately asked me, and they had every right to, Congresswoman, why are you here? You are against this war. My answer was straight. My answer was true. And my answer they believed. Yes, indeed, I told them, I am against this war. I have been against this war from the very beginning.

But I want you to know that I support the troops. I have been working within this Congress to make sure that you have the equipment you need to make sure that you have the health care over there, the best you can have; and when you get home, that you will have the benefits that we have promised you.

But in all of that, I remain against this war because I want you to come home and I want you to be home with your families. I want you to be alive. I want you to be mentally whole, and I also want you to be physically whole.

Mr. Speaker, these young people are the very best America has to offer. They are brave. They are intelligent. They are loyal. They are loyal to their country, to their mission, and to each other. They are profoundly committed to this mission, even those who told me privately that they do not support the war or the policy that underlies it.

They are genuine heroes whose courage and resolve is greater than our accolades can begin to convey. We truly have the most capable military the world has ever known. So what is the problem? The problem is that we do not have leaders in Washington worthy of these fine soldiers. Our troops have been failed, failed by their civilian superiors who sent them to Iraq on false pretenses, on a poorly defined mission without all of the tools they needed, and without a plan to get them out of there. If the President will not lead to bring our troops home, then we will.

And that is what the Out of Iraq Caucus is all about. Last month we assembled a group of Middle East experts and military strategists to explore viable

and compassionate exit strategies because the American people deserve better than the poor planning that has characterized every single phase of this war.

The extraordinary men and women who I met in Iraq most certainly deserve better. They deserve leaders as courageous and honorable as they are in return for their unfailing loyalty. They deserve basic competence and integrity. I have some suggestions of what the President should be doing next in order to bring our troops home immediately.

Part of what he must do is eat crow. He has to apologize to the rest of the international world for going into Iraq in the first place and trying to bring them into the war with him.

He must become a diplomat instead of a warrior because the way he is doing it now is not working. He also must reach out to the global world. He must ask worldwide for assistance to help Iraq return their country to their people.

He also must work internationally with the United Nations, with NATO, with the experts who have been through this before in South Africa and in Ireland. He must work with them, help them, give them the room to help the Iraqis in their reconstruction and reconciliation. We do not know how to do it, obviously. We only know how to cause a war. We need to work now on how to end that war and how not to totally leave the Iraqi people in a quagmire.

But speaking of quagmires, that is what our President has us in. He has us in a corner. It is a lose-lose situation. Actually, if we stay in Iraq, our troops will continue to be killed and maimed and innocent Iraqi civilians will lose their homes and their lives and their families.

If we leave, indeed we will leave Iraq in a bad way. It will be a bloody mess until they can figure out how to get their country back together. But we can help them put it back together, not militarily, but with a non-militaristic presence. Why we are not doing that is beyond me. That is how we should have been doing it in the first place.

So what I would like to suggest is that our President, I do not want to suggest it, what I would like to demand is that the President of the United States put together a plan to bring our troops home and to bring them home immediately.

I yield to the gentlewoman.

Ms. WATERS. Mr. Speaker, I thank the gentlewoman from California (Ms. WOOLSEY) for her commitment, for her hard work, and for her sincere desire to provide leadership for this Congress to bring our troops home.

□ 2200

Mr. Speaker, you have heard from two of our hardest workers this evening about the war in Iraq. You have heard their assessments. You have listened to their advice.

I think it is important for us all to understand that not only have we gone into this war under false pretenses, having the American people believe that there were weapons of mass destruction when, in fact, there are no weapons of mass destruction. We have gone into this war with this administration making the American people believe that somehow Saddam Hussein was responsible for the 9/11 attacks when that certainly is not true. And al Qaeda and Osama bin Laden who have been determined to be responsible are still not contained, have not been apprehended.

The idea that somehow we must stay in Iraq because it is going to make us safer is the kind of argument that the American people just will not accept any more. As a matter of fact, I think the American people understand we are less safe because we are in Iraq. We are less safe because we have created a breeding ground for the training and development of these insurgents. We are less safe.

While the President talks about homeland security, it takes but a natural disaster to help Americans know that really we do not have a handle on homeland security at all. If, in fact, we can witness what happened to us as a result of Katrina, if we understand that not only were we not able to handle a disaster despite the fact we have this huge bureaucracy of homeland security under FEMA, and with all of that people were left stranded without food, without water, still we do not have a handle on how to get those people into temporary housing, let alone permanent housing.

So people have to be suspicious about what would happen to us in the event of a terrorist attack, and people have to wonder why are we putting all of this money and all of this effort into Iraq when the folks who were responsible for 9/11 still have not been apprehended.

People have to wonder what is it about this relationship with Saudi Arabia, when we know that the perpetrators of 9/11 were from Saudi Arabia, trained in the madrassas of our so-called friends, trained by the royal family's money that helped them to learn to hate the United States of America, yet we wrap our arms around them, we call them our friends. And after the 9/11 attack we went to their aid, and the members of that royal family that was in the United States of America, we picked them up one by one. We had airplanes dispatched across this country. We put them on those airplanes when Americans could not get on airplanes. When airplanes were grounded, when the Vice President of the United States could not get an airplane, we picked up the Saudis, we put them on the airplanes. We protected them, and we got them out of here.

We did not know whether or not they were tied to those that were responsible to 9/11. We did not understand

how the funding of some of the so-called nonprofit operations were really funds that were going into terrorist operations. We did not do an investigation. We did nothing but pick them up, protect them, and send them on their way. And we talk about homeland security. Give me a break.

We cannot trust that this administration can secure the homeland and certainly we are spending the taxpayers dollars, billions of dollars, billions of dollars in Iraq when perhaps we do need that money in our ports. We need those monies in our airports. We need those monies with helping to fund the first responders.

I have been holding emergency preparedness town halls all over my district. What do the first responders tell us? They do not have enough money. They do not have enough resources. They do not have the communication systems by which in the event of an attack that the various first responders can communicate with each other just as they did not have it in New Orleans.

So this effort that has been put forth by this administration is not a good one. Not only did they not plan well for the war, they never had an exit strategy going in. They never knew how they were going to get out. The headiness of Mr. Rumsfeld with his shock and awe campaign that led people to believe that somehow we were going to bomb people into submission, make people think that somehow we were protecting them from terrorism, that we were making this country safer, somehow because of the might of the bombs and the sophisticated artillery that somehow we were going to make Americans believe everything was all right.

At the moment the President declared "mission accomplished," the insurgents said, now let the war begin. And, guess what? They do not have the sophisticated technology that we have. They do not have the resources that we have. But you know what? They are wreaking havoc on us and our soldiers. They are killing our young people.

As it was said by some of my colleagues, it is all right to say we will be there for as long as it takes. But whose children are we talking about? Whose young people are we sending into war, a timeless war, when we cannot tell the American people how we are going to get out of it, where we never had a plan to get out of it? Whose children are dying?

The American people are fed up with this war. They have trusted this President and this administration long enough. Mr. President, it is time to bring our soldiers home. It is time to get out of Iraq.

The President consistently tells the American people that we will stand down when the Iraqis are ready to stand up. However, there is little evidence that the Iraqis are ready to take over their security responsibilities.

In July, the House Armed Services Committee ranking member, the gentleman from Missouri (Mr. SKELTON),

told us that he believed there were only about 5,000 trained Iraqis, even though the Bush administration claims to have trained 170,000.

General John P. Abizaid, who leads the U.S. Central Command, told the Senate Armed Services Committee in September that a single Iraqi battalion was at level one combat readiness, meaning it was capable of taking the lead in combat without support from coalition forces.

During the same testimony, General George W. Casey, Jr., who oversees U.S. forces in Iraq, said the number of level one battalions had dropped from three to one since June.

We cannot even get the right information, and that is why the Senate Democrats will take the action that they took. They had to go into closed session. They had to confront the Republicans in the Senate about the so-called investigations, about going on to phase two, to try and get information about what happened with our intelligence community. What did we know and when did we know it and what did we do about it? You cannot hide this information forever.

The tactics of this administration, misleading, not giving out all of the information, distorting information, will come to an end; and the retaliation against those who speak out is being unveiled now in a way that is causing the indictments and more to come.

The fact of the matter is this administration attempted to punish Ambassador Wilson by outing his wife, Valerie Plame. These tactics of distortion, intimidation, misleading information, rolling out Republican relations campaigns, all of this must come to an end. Americans cannot stand to be misdirected. Americans can stand no longer to be told mistruths. Americans can no longer take from their President and this administration that kind of treatment.

So we stand here tonight to say again and again, enough is enough. We have got to bring an end to this war. We have got to redirect our resources back to the people of this Nation. The war in Iraq has cost us almost \$3 billion so far. The funding would provide much-needed resources for Americans here at home for the money that we are sending in Iraq.

Let me just give you some idea what could have been provided: Health care for 46,458,000,805 people. Health care could have been provided for the amount of money that we are spending. 3,545,016,000 elementary schoolteachers could have been paid for. 27,93,000,473 Head Start places for children. 120,351,991,000 children's health care could have been paid for. We could have built 1,841,000,833 affordable housing units. We could have built another 24,000,072 new elementary schools. On and on. 39,000,665,748 scholarships for university students. 4,000,000,699 public safety officers or 3,204,000, 265 port container inspectors. I could go on and on.

The American people deserve to have their tax dollars spent not only to pro-

tect and secure us but to provide universal comprehensive health care. It is unconscionable to talk about we are going to be confronted with a pandemic but we do not have enough medicine. We do not have enough resources. We do not have enough hospitals. We do not know how we are going to take care of people in the event of a pandemic. It is unconscionable to talk about how in the event of a pandemic so many people are going to be at risk, to anticipate that so many people are going to die.

It is unconscionable to talk about you cannot pay for Katrina or Rita or any of these disasters that are confronting us unless we go back into the budget and reconcile and cut the budget deeper and deeper and deeper and do all of this while we continue to give a tax break to the richest people in America.

We are sick and tired of these policies that do not make good sense. We are sick and tired of the direction that is keeping us at war while we are hurting and undermining the people of this Nation. We are sick and tired of public policy that does not make good sense.

I am pleased that my colleague said this evening at the beginning of their discussions, we support our soldiers. Do not forget it was really this side of the aisle who forced the issue of protective gear for our soldiers when we discovered that, with all of the talk from Mr. Rumsfeld about we had enough soldiers and they had everything they needed, and we discovered that they were over there with spit and glue, literally trying to build protection, literally trying to figure out ways by which to stop the bullets. It was this side of the aisle that forced getting more money.

And we will continue to do that because we do respect, we do support our soldiers. We love them. That is why we want them home. We want them out of harm's way. We cannot tell them why they are there. We cannot tell them why they are losing their lives.

Many of those young men and women went there because they are patriotic. They believed their President. They went there because they thought they were doing something good for their country, only to discover that they were misled, that there are no answers.

Many of them went there because they were looking for a way out. They were looking for ways by which to provide for their families. They were jobless in America, in the rural communities, in the inner cities.

We have not done right by our young men and women. We have not done right by them. We have neither provided them with the security and the protection that they need to serve in this war, nor have we respected their right to have the answers to the questions that they are raising.

□ 2215

I would like to at this time have a colloquy with my dear friend from California who has worked so hard on this issue.

Do you believe that if we bring our soldiers home that we will be taking the kind of action that will not only bring resources back to this country that could be spent domestically, but in the final analysis, we are taking them out of harm's way because if they stay there there will be more and more deaths, and we still will not be able to contain what perhaps is going to be a civil war anyway between the Shiites, the Sunnis and the Kurds?

Ms. WOOLSEY. Mr. Speaker, I agree with the Congresswoman totally, and the American people know that you are right in what you said. This Congress, this Pentagon, this administration will eventually catch up to the American people who know that we should not be in Iraq in the first place and that our staying there will not solve any problems. We will lose more troops. They will come home maimed or dead, and we will injure more innocent Iraqis and destroy their communities and their neighborhoods and their lives; and when we leave, whatever is going to happen will happen anyway. In the meantime, our troops will be losing.

What I would like to ask is, if the President really believes that we are ending terrorism by being in Iraq, why in the world has he not found Osama bin Laden? Iraq was not an Islamic terrorist country until we went in, and now they are.

I asked the commanders directly, first, who is the enemy? The answer was more than once, as a matter of fact, the insurgents are fighting the very presence of the United States in Iraq because we do appear as occupiers. When I asked the question who are the insurgents, they are not coming from across the border. The great majority of the insurgents are indeed local. They want us gone because they see us as occupiers.

We are helping build local insurgents by our presence. Our presence needs to be there over time, but not in a militaristic way. Our presence needs to be to help the Iraqi people rebuild their infrastructure, their economic infrastructure and their physical infrastructure that we have so destroyed. If we want the end of terrorism, go after the guy that blew up our buildings in New York, go after Osama bin Laden.

Ms. WATERS. Mr. Speaker, I think the gentlewoman is absolutely correct. As a matter of fact, they do not even talk about Osama bin Laden anymore.

I am absolutely outraged that we put money into Pakistan. We think we have a friend there, Musharraf; but we know that that border between Afghanistan and Pakistan is where we have al Qaeda, is where we have terrorists. We believe that is where Osama bin Laden is. I believe that he is being protected by those who we are trusting in Pakistan. I believe that we are not putting enough time and effort on that border where we have not only the terrorists and al Qaeda, but increasingly, the Taliban is rising again from the Afghanistan side of all of this.



So we just have a misdirected administration who has messed up everything. They have created a crisis. Our young men and women are dying. We are spending American taxpayers' dollars. This money is going out of the window. We are not accomplishing anything. We are getting ripped off in more ways than one. Halliburton is making all of its money. They have been cheating us, and we have slapped them on the wrist, and we have let them go.

We are sick and tired. Enough is enough, and I would like to say to the gentlewoman from California, if you have one last word in this 1 minute or so, please.

Ms. WOOLSEY. Mr. Speaker, my last word is wake up, catch up with the American people. Bring our troops home if you support them.

#### DEFICIT REDUCTION ACT

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. HENSARLING) is recognized for 60 minutes as the designee of the majority leader.

Mr. HENSARLING. Mr. Speaker, tonight, we are coming here to talk about a very important piece of legislation titled the Deficit Reduction Act.

Mr. Speaker, our Nation is seeing a number of challenges here, obviously 9/11, which we have heard a lot about. Recently our Nation has been hit with a number of hurricanes, natural disasters that have proven very, very costly to our Nation. Now we have seen the threat of avian flu. There are a number of different challenges our Nation faces, and we will meet these challenges; but meeting these challenges is not free.

Particularly within the context of the hurricanes that have hit, at the end of the day, when we look at the Federal response, how much money the Federal Government is going to spend, there are really only three ways that we are going to be able to pay for this. Either number one we are going to raise taxes on hardworking American families yet again as they are facing challenges in meeting the cost of filling up their pick-up trucks and heating their homes, or we are going to pass debt on to our children, even more debt to be passed on to our children. But, Mr. Speaker, we on the Republican side of the aisle believe that there is another way, and that way is to restrain the growth of government. That way is to protect the family budget from the Federal budget.

We are going to spend some time, Mr. Speaker, this evening bringing up some very interesting facts that we believe the American people need to know.

Number one, you will hear this evening about how tax relief that we have brought to American families and small businesses, that has been part of our deficit solution, not part of our def-

icit problem; and we will talk about that later this evening because there has been a lot of misinformation there.

In addition, we have heard the other side talk about gross and draconian cuts in the Federal budget. Well, what we are going to discover, Mr. Speaker, is what they call a draconian cut is trying to restrain the growth of government so we do not have to raise taxes, so we do not have to pass on debt to our children. It is the same old song we have heard from them for 50 years.

What we also hear from them is that somehow any reform, any accountability that we institute in the Federal budget is somehow tantamount to hurting the poor. Mr. Speaker, we do not buy that. The American people do not buy that either because we know that year after year after year, as we dump new programs on top of old programs, as the Federal Government refuses to measure the success, the progress, the ability of these programs to meet goals, that we have a budget now that is fraught with waste. It is fraught with abuse. It is fraught with duplication.

Mr. Speaker, finally, not all spending is created equal. Families all over America have to make some tough decisions occasionally at the end of the month when that paycheck begins to run out, and this is what people do in a great Nation.

In my own family, if we are a little low on money at the end of the month, I am not going to tell my two children, my 3½-year-old daughter and 2-year-old son, I am sorry, children, you just cannot have anymore milk because your mom and I have got this great movie we want to go see. What happens is my wife and I do not go to the movie. Instead, we buy the milk for the children.

Some spending in the Federal budget is just not high priority, not when compared to trying to relieve human suffering along the gulf coast that has been wrought by these hurricanes. So the American people, I think they instinctively know, but occasionally we have to remind them about what is in this Federal budget.

Mr. Speaker, often when we spend money here in Washington, D.C., many good things come from it: Kevlar vests for our brave men and women fighting in Iraq and fighting in the global war on terror. Occasionally money is spent to help start a small business; but more often than not, though, we see that this money is spent for an \$800,000 outhouse in a national park and the toilet does not even flush. We see it spent on 342 different Federal economic development programs, 342. Does that not suggest some duplication? More often than not, it is spent on food stamps where 10, 20, and sometimes 30 percent of the recipients do not even qualify because we are not checking their income levels, and the list goes on and on and on.

The important thing, Mr. Speaker, that we need to know this evening is

that there are plenty of places in the Federal budget where we can save money so that families do not have to cut their budgets because every dollar we spend here is a dollar that we cannot spend back in Texas or Tennessee or Virginia or New York.

At the end of the day, it is not the government's money. It is the people's money, and we need to institute more accountability in the system. I wish more of our friends on the Democrat side of the aisle would come and help us, but too often they have bottled up each and every reform. They do not believe that there is any waste in the Federal budget. They do not believe there is any duplication in the Federal budget. They believe all spending is great spending, that nothing good has ever happened in our Nation unless it as the result of a Federal program; and that is not true.

So, Mr. Speaker, the first thing that we want to discuss this evening is to talk a little bit about what is in this Federal budget, this \$2.4 trillion budget, a budget that over the last 10 years has been growing at least a third faster than the family budget, a Federal budget that, in my lifetime, Mr. Speaker, has grown seven times faster than the family budget. That is an unconscionable growth rate. That is an unsustainable growth rate.

Again, our purpose here is to provide reforms. It is to provide accountability, and it is to spare our children the future of having to have a massive tax increase or massive debt placed on them.

So we want to talk about different ways that we believe that we can save money in Washington, D.C. without cutting vital programs. We want to make sure that the social safety net is in place; but we know that the greatest social welfare program, the greatest housing program, the greatest education program in the history of mankind is a job, a job provided by the American free enterprise system, which is what our economic policies are all about. That is why we have been able to create 4 million new jobs in this economy, with tax relief for small businesses and American families.

So there are a lot of things that we need to do to protect that family budget from the Federal budget; and I am very, very happy, Mr. Speaker, that I have been joined by a number of our colleagues who are leaders in this Congress on trying to help root out this waste and this fraud and this abuse and this duplication in the Federal budget so that we can indeed protect that family budget.

One of the individuals who is joining us this evening is one of the leaders in government reform, a colleague of mine that I have been very proud to know, a real leader in this Congress on that subject, the gentlewoman from Tennessee (Mrs. BLACKBURN); and I would be glad to yield to her.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Texas for

his words of wisdom and for the commitment that he brings to protecting the Federal budget, just as he does the family budget. I appreciate the diligence as he goes about this, whether it is Operation Offset or Washington Waste Watchers. He has certainly worked very, very hard on this.

□ 2230

I was talking about his good work in my district one day in one of the town halls and talked about how he felt like we should watch the Federal budget like the family budget and some of the information that he brought to us.

One of my constituents raised his hand; and he said, "Mrs. BLACKBURN, I tell you, I really appreciate that. You know, sometimes I think the Federal Government does get out of hand. It does need to be reined in." He said, "They need to take a lesson from some of us." He said, "Sometimes, you know, I have too much month left over at the end of my money. And when that happens, we have to just sit down and work things a little bit differently."

Well, Mr. Speaker, I think that that is the kind of wisdom we need to put on the table here in Washington. Maybe we have too much year left over at the end of our money, which means it is time for us to prioritize and to focus and to do things a little bit differently.

We know that government does not have a revenue problem. Government has a spending problem. And we also know that the government is never going to get enough of the taxpayers' money. They are never, ever, ever going to get enough of the taxpayers' money. Never happen. Because there is always going to be one more program, one more activity, one more department, one more need, one more something that they feel like needs that money.

Now one of the things that we have done here is to talk about the Deficit Reduction Act, and that is a piece of legislation that is going to come before this body soon. The majority here in the House has worked diligently on the Deficit Reduction Act. Many of our colleagues across the aisle are fighting us tongue, tooth and toenail. Every time we turn around they are just fighting us every step of the way on this.

Mr. Speaker, I have to tell you, I think there is a reason for this. With over 40 years of Democrat control of this body, they have really built a monument to themselves; and that monument is a huge enormous bureaucracy. What it comes down to is that they would rather support bureaucrats in buildings and trust them to make decisions for the average American family and for taxpayers than to trust individuals and families to make those decisions. Their focus is putting the attention on preserving that bureaucracy and growing that bureaucracy.

As the gentleman from Texas has said, fiscal responsibility is what our work focuses on: How do we rein this

government in? How do we slow the growth? How do we begin to work toward reducing spending, reducing the deficit and being certain that this Nation remains a free and productive Nation for our children and our grandchildren? That has brought us to working out the budget, the Deficit Reduction Act, that we are bringing forward this year.

My colleague from Texas mentioned a few things about waste, fraud and abuse; and we have put some attention on that this year here in the House. I want to highlight a couple of things. When we hear our colleagues from across the aisle say, well, there is nowhere to cut. We cannot find any savings. We cannot reduce these programs. My goodness, what would they do if we slowed their growth and did not let them have more money this year than they had last year?

Well, I just want to highlight a few things that when we talk about we have reduced the deficit by \$50 billion, an additional, additional \$50 billion this year, I want to highlight a few things where we have found waste, fraud and abuse. We have only done a drop in the bucket, and we have had to fight every step of the way to get this, but just listen to some of these things that we highlight that we know are there.

From 2003, the Federal Government cannot account for \$24 and a half billion that it spent. We think that accountability is important. A White House review of just a sample of the Federal budget identified \$90 billion spent on programs deemed ineffective, marginally adequate or operating under a flawed purpose or design, \$90 billion. Well, already if we could get support for going after these dollars we would be well over \$100 billion.

Housing and Urban Development, \$3.3 billion in overpayments in 2001, which accounted for over 10 percent of the Department's total budget. Now many of us have supported across-the-board cuts, Mr. Speaker; and I was joined by the gentleman from Virginia (Mr. CANTOR) and the gentleman from Texas (Mr. HENSARLING) in filing bills that would call for either a 1 or 2 or 5 percent across-the-board reduction in spending.

Most folks would look at their budget and say, you know, I can find 1, 2, or 5 percent by just getting in here and cleaning up some of my operations. Well, HUD had overpayments that accounted for over 10 percent of their budget. If they just cleaned up their books and cut out the overpayments, there would be 10 percent right there.

Duplication. The gentleman from Texas mentioned duplication of programs, and there is a lot of that here. We know that when you have a big Federal program you have a bureaucracy, you have bureaucrats in these great big shiny buildings all around Washington, D.C., and all around our country that run the programs. We have on the books 342 different eco-

nomic development programs, 130 programs serving the disabled, 130 programs serving at-risk youth, 90 early childhood development programs, 75 programs funding international education, cultural, and training exchange activities.

Mr. Speaker, we are simply saying, let us put the money in the programs where it is going to do good in local communities. Let us get rid of the bureaucracy. Let us streamline some of this. Let us get rid of redundancies and duplications and be certain that the money is going for what it is intended: helping individuals in the communities.

Washington spends \$60 billion on corporate welfare every year versus \$43 billion on homeland security. Priorities. They are important. Farm subsidies go to several Members of Congress and celebrity hobby farmers such as David Rockefeller, Ted Turner, Scottie Pippin, and former Enron CEO Ken Lay. Something to look at.

Medicare programs that pay eight times as much for the cost of drugs as other Federal agencies are paying for medical supplies. This needs to be dealt with.

Food stamp overpayments that are costing taxpayers \$600 million annually, many of those payments going to individuals who are not in the country legally.

School lunch program abuse has been estimated by the GAO to be at \$120 million annually.

Mr. Speaker, these are all examples of waste, fraud, and abuse that have been documented by the OMB, the CBO, and the GAO, agencies of the Federal Government. These are agencies that work with Congress to say go back and take a second look and look at how this money is being spent. Exercise your oversight. And that is what we are doing as we move forward on fiscal responsibility and accountability and as we bring forward the Deficit Reduction Act.

I thank the gentleman from Texas for allowing me to join him tonight. I thank him for his diligence and his leadership on this effort, the leadership that he gives to the Republican Study Committee and that he gives here to the entire body of the House.

With that, Mr. Speaker, I yield back to the gentleman.

Mr. HENSARLING. Mr. Speaker, I certainly thank the gentlewoman for her insight and leadership on this subject. Mr. Speaker, she brought up just a number of different examples illustrating the point that, again, there is so much waste and there is so much fraud and there is so much duplication and low-priority spending in this budget, yet Democrats do not want to work with us to try to reform this.

Mr. Speaker, we have 10,000 different Federal programs spread across over 600 different agencies, and we have many pressing needs, but we owe it to the American people to bring some accountability here.

Now, again, as my able colleague, the gentlewoman from Tennessee, talked about, we know what the Democrats will say about these different programs. Well, wait a second, that is really massive cuts in spending.

Mr. Speaker, as I said earlier, anybody in this body is entitled to their own opinions, but they are not entitled to their own facts. Let me talk a little about what the facts are, and then we will go back and talk about even more waste and fraud in this budget.

When they talk about massive cuts in the Federal budget, let us put this in perspective. If we are, among other things, besides trying to reduce the deficit, if we are trying to pay for the hurricane damage, so far that bill for the Federal Government has totaled about \$62 billion. Yet the Federal budget over this same 5-year period is \$13.9 trillion. Mr. Speaker, as I do my math, we are talking about less than half a cent, less than half a penny, and this is called some type of massive cut?

What it tells me is that, as we are trying to fight the deficit, all we hear about from the Democrats is tax relief, we hear about massive cuts, and yet we are talking about half a cent. If we cannot find a half a penny of savings on the dollar in a \$13.9 trillion budget, well, we are just not looking.

Any small business in America, any family in America would laugh in our face if we told them, well, there is just no way that we can find a half a cent of savings on the dollar to protect your family budget. No, we are going to have to increase taxes, or maybe we will just pass debts on to your children. Mr. Speaker, that is just totally, totally unacceptable.

Mrs. BLACKBURN. If the gentleman will yield.

Mr. HENSARLING. Yes, I will be happy to yield to the gentlewoman.

Mrs. BLACKBURN. To the gentleman's point as he is talking about the budget and what we would do with making some adjustments within that budget, Medicaid is an issue that we addressed in the Energy and Commerce Committee last week and looked at some forms and some redesigning and revitalization of Medicaid, being certain that we preserve access to health care for Americans. In this process, we looked at the annual expected growth rate of Medicaid, which is 7.3 percent per year. And by looking at pharmaceuticals, making adjustments there, rooting out some waste and fraud and some abuse, closing some loopholes, addressing some inefficiencies, we were able to slow the growth from 7.3 percent to 7 percent growth per year.

But, in liberal lingo, the gentleman from Texas knows that that is described by our colleagues across the aisle as a cut, when all we have really done is to say, let us get the fiscal house in order and be certain that we are using the technologies and availing ourselves of the efficiencies available.

Mr. HENSARLING. Well, the gentlewoman is so right. It begs the question,

Mr. Speaker, how much government is enough? As we can see from this chart, already Washington is now spending over \$22,000 per American family; and this is one of the greatest levels in history.

For only the fourth time in American history has the Federal Government taken that much money away from American families to spend up here. And look at this growth curve. \$22,000 per family for only the fourth time in American history. Again, how much government is enough?

And, as I stated earlier, just look at the last 10 years. Look at the growth of the family budget, which is here, the blue line, versus the growth of the Federal budget. The Federal budget in the last 10 years has grown a third faster and keeps on growing and growing. And as we will discuss later this evening, the trend line is only getting worse.

But here is a very, very important point to make with this chart, Mr. Speaker, and that is, again, as we talk about ways that we can find efficiencies in government, as we talk about ways that we can reduce the waste, where money is taken from hard-working families in America and wasted up here, here is something that every American ought to know in this debate. Even once we are successful in passing this Deficit Reduction Act and engaging in this process called reconciliation, which is a fancy Washington term that just means we are going to start reforming these out-of-control entitlement programs, guess what, Mr. Speaker? They are going to grow at 6.3 percent instead of 6.4 percent.

That is the massive cut that the Democrats talk about. It is not a cut. We are increasing this spending, but we are not increasing it as fast as it would be on mere automatic pilot. But somehow, in Washington lingo, as my colleague pointed out, somebody calls that a cut. Now, only a liberal in Washington or an Enron accountant can look at that chart and somehow call that a cut.

Again, Mr. Speaker, maybe people are entitled to their own opinions, but they are not entitled to their own facts.

□ 2245

Mr. Speaker, again let me go over even more examples that we will have about where we can find savings in this Federal budget. Because, again, Mr. Speaker, either we are going to find savings in the Federal budget or we are going to attack the family budget by raising taxes or we are going to pass debt on to our children. So it is incumbent upon us to find ways to reform government and to make it more accountable.

With that, I notice we have been joined by two of our colleagues. I am very happy that we have been joined by the gentleman from Virginia, the deputy majority whip, who has been a real leader in this House for trying to bring accountability into the Federal budget.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. CANTOR) for his comments on this subject.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding to me.

And I also would like to join the gentlewoman from Tennessee in really saluting the gentleman from Texas and his commitment to being a prudent steward of the taxpayer dollar. I do not think there is anyone who serves in this House who has more of a commitment to the notion that the dollars that we spend and we raise here at the Federal level, the fact that they are not really dollars that belong to the government, they are dollars that belong to the people and the businesses that earn them. Again, as a watchdog of the Treasury, I do not think there is any other more adamant and loyal soldier than the gentleman from Texas; and I do congratulate him on that accomplishment and know that he will continue to serve in that capacity.

Mr. Speaker, I would like to also return and just set the record straight for some of the statements that were made in the prior hour regarding the war in Iraq. If I could just diverge a little bit from the topic at hand here regarding the Federal budget, because of the statements that were made: "We are helping cause the local insurgency in Iraq." The next quote was, "If you want to end terrorism, get out of Iraq. Go after Osama bin Laden."

As for the first, I am having a little difficulty following the logic of how the presence of American troops in Iraq would cause local insurgency. We all know, as we read the news reports every day, that there is a stream of outsiders coming in, joining with the Sunni insurgency in Iraq, and it has become ground zero for the terrorists who wish to do us harm in the United States, who wish to do Israel harm in the Middle East and, frankly, wish to do harm to anyone in the free world.

Mr. Speaker, I would say to the individuals in the prior hour that, make no mistake, Iraq, Afghanistan, other parts of the world where we see the operation of terrorist organizations and cooperation by local regimes, that dynamic, that formula is what continues to fuel the war that we are engaged in. It is directly the sponsorship of unfriendly regimes of these terrorist organizations that allow these organizations sanctuary in which to train, that allow these organizations resources on which to operate and, frankly, allow them to pull off the terrorist attacks that we have seen, frankly, for almost two decades, if not longer.

One of the gentlewomen who were involved in the discussion prior said that we, if we want to go after the terrorists, should go after the individuals that perpetrated the attacks on 9/11; and, of course, we are. First of all, we know that 19 of them perished in their mission and demonstrated that their hatred of us knows no bounds. They avenged that hatred, including taking their own lives.

So we are engaged in a war for the free world, and the sooner that all of us in this House recognize that and support this President and this administration in what we are trying to do, and that is to secure our homeland and to provide national security for Americans, the quicker it is that we will see victory.

The fact that we are being accused by some on the other side of the aisle for not having a strategy, nothing could be further from the truth. Our strategy has always been very straightforward:

One, counter the insurgency and assist the Iraqis in forming their own military police and military so that they can take care of themselves. That is ongoing. Reports show that over 85 battalions of Iraqis are engaging with our troops, embedded with our troops, and fighting with us alongside our brave men and women in this War on Terror.

Secondly, we are to identify the Islamic jihadists and allow our Special Forces to deal with them; and I know that all of us in this House know that that is being dealt with.

Thirdly, we are using the appeal of democracy to attract the Sunni minority into the government to allow them the freedoms, allow them protections that a minority enjoys in a democratic state. As we saw 1½ weeks ago, the ratification of that constitution guarantees those minorities their rights, and we will see in another couple of months the elections of the full and permanent parliament.

So, again, Mr. Speaker, to underscore my opposition to their statements and the fact that I differ strongly with the representations that were made.

Now, back to the subject that the gentleman from Texas and the gentlewoman from Tennessee were engaged in and the fact that I, too, join with them in calling on our colleagues on the other side of the aisle to lay down their partisanship, to join us, as 51 of their fellow party men joined the Republicans in 1997 in engaging in what was then the first Deficit Reduction Act under reconciliation since the Republicans took majority. I ask them to do that because it is imperative that we renew our commitment in this House to the hard-working American taxpayer and for what they do for their families every day. We owe it to these families to be good stewards of their money.

We all were elected here in our various districts by constituents and their needs. We certainly are here and are being judged each and every day by what we do and how we cast our votes. I know, Mr. Speaker, that I was elected by my constituents to take a good, long look at the way the government operates and to try to make the improvements to government and the structure so that it can be more efficient with the use of the taxpayer dollars; so that we can, as the gentleman and gentlewoman pointed out, root out the waste, fraud, and abuse that unfor-

tunately has continued to grow as the bureaucracy expands.

Both the gentleman from Texas and the gentlewoman from Tennessee talked about the waste, fraud, and abuse in some of the entitlement programs that exist. Take, for instance, the Medicaid program. This is a program, as we know, that is a partnership between the Federal Government and the States. It is a program that offers to some in this country a very necessary support for the health care of those indigent citizens in our society. But if we look at the pattern of growth of this program, it is something that I think strays far from the original intentions of those in this body that created and passed the enabling statute. Over the past 5 years, this program has grown by 56 percent. Frankly, it is an unsustainable growth rate, given the increasing costs and escalating costs in health care.

So the reforms that we will have a chance to vote on next week, as the gentlewoman pointed out, under the Deficit Reduction Act, these reforms attempt to slow the growth and identify areas where waste, fraud, and abuse has been fueling that growth. And even after we enact the reforms under the Deficit Reduction Act, we will still see Medicaid with a 7 percent growth rate. So what we are doing is identifying savings.

How are we doing that? Well, first of all, we see the creation of health opportunity accounts. This will be a pilot program that will enable certain States to afford Medicaid beneficiaries the opportunity to set up essentially a health savings account. And we know that we provided that ability for anyone in the Medicare bill as well a few years back. We created the opportunity for individuals to purchase high-deductible catastrophic health care plans so that we could lower the cost of health care for American families and also emphasize the family's role in deciding the destiny, if you will, of their health care provision and to emphasize the role of that family in making choices as far as health care is concerned. We are going to afford the same opportunity to beneficiaries under the Medicare program as well.

Additionally, once we pass the Deficit Reduction Act, we are going to be able to root out the asset transfer fraud that is going on with many in this country, which essentially allows those who could otherwise afford to pay for their health care services to become wards of the State. Again, this is far from the original intention of those who enacted this program of Medicaid. Medicaid is for the truly indigent, for truly those who cannot help themselves and are in need of health care.

We also provide for, in the Deficit Reduction Act, the cessation of States somehow going about double dipping, if you will, in order to gain more access to Federal moneys. We want to cut that out as well because, again, this goes against the original intention of what this program was supposed to do.

And the list goes on. Areas such as student loans, we wanted to make sure that we have an adequate supply or availability of financial aid as we see enrollment continuing to grow in our colleges and universities, as we see increasing tuition costs in our colleges and universities. And that is exactly what this bill does assure as well, that the financial aid will continue to be there. But, as it increases, we also increase the loan limit amount but also reduce the fees that our students will pay. Again, it is very important to afford access to our students to our education system in this country but at the same time make sure that the Federal dollars are used in the most appropriate and efficient manner.

Mrs. BLACKBURN. Mr. Speaker, will the gentleman yield?

Mr. HENSARLING. I yield to the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Speaker, I want to ask the gentleman to go back to one point on Medicaid. I think it is so important, and many of our constituents and many members of this House, I think, would be interested in it. I would love for him to talk one more time briefly about the health opportunity accounts, because this is something that will give individuals ownership over the decisions that they make and have to make in their health care choices.

Mr. CANTOR. Mr. Speaker, I could not agree with the gentlewoman more. Because there is one thing that I really have an aversion to, and that is somehow Washington knows best, that somehow we are going to provide a one-size-fits-all blanket solution to health care. And she is right, these health opportunity accounts get away from that. They allow individuals to determine the fate of their health care and how that will be provided, and that is exactly what these health opportunity accounts do.

Mrs. BLACKBURN. Mr. Speaker, if the gentleman will yield, I think this is something that is so very important because what it says is every individual has the right to go in there and have that ability to make decisions, establish that relationship with that physician; and if they take responsibility and if they take ownership, then here is a great way that they can do it.

In addition, we are going to see the flexibility that many of the governors have said we need, flexibility in order to be certain that health care remains viable and accessible for all of our citizens.

Mr. CANTOR. Mr. Speaker, the other gentleman from Texas I believe also has been a champion for the restoration of fiscal sanity here in Washington because we owe it to those American taxpayers.

Mr. CONAWAY. Mr. Speaker, will the gentleman yield?

Mr. HENSARLING. I yield to the gentleman from Texas.

□ 2300

Mr. CONAWAY. Mr. Speaker, I thank the gentleman from Virginia and also

the gentleman from Texas for having hosting this special hour.

I would like to make a couple of points of a general nature and talk about some specific things. I am a CPA. I have spent 30-plus years in business watching what happens when tax rates go up and businesses have to deal with increased taxes. I have also helped businesses as their tax bills go down and what they do with that money. They put that money back into their business, they reinvest it in equipment, they hire people. They do things that create jobs for this economy.

We have got a growing economy. One of the things that got lost in some of the noise up here is that in January of this past year, the CBO estimated the tax collections for the Federal Government to be \$2.057 trillion.

The other side makes an awful lot of talk about raising taxes, that we need to raise taxes. Well, I would submit that this Republican-led House has raised taxes the correct way. We have raised taxes because we have got more people working in America than have ever worked before. We have got more people paying taxes than ever before. As a result of that, the numbers that came in for out of the CBO for the fiscal year ended September 30, 2005, was in fact \$2.154 trillion, or some \$97 billion more than we thought we were going to have.

We kind of got lost in our Katrina efforts of \$60-plus billion, which were unexpected expenses. What we probably should have done is looked at those unexpected revenues and said that is a good place to pay for those Katrina expenses. We reduced the deficit by some 23 percent.

So we have a growing economy, and that growing economy is important to the continuing fiscal responsibility of this House.

Cutting spending is difficult to do. Family budgets cannot run on a deficit very long. Businesses cannot run at a deficit very long. About the only entity in the world that can run on a deficit for any length of time is the Federal Government. Simply because the Federal Government can do it certainly is no reason why the Federal Government should do it.

Let me put it in perspective. The budget that we passed in April and we are chewing on right now called for us to spend some \$2.56 trillion. Now, under any circumstance, that is a lot of money. It is just a lot of money. But it really does not mean much to us in those terms. Let me give you a term that kind of helps put it in perspective.

In the fiscal year we are in right now, which started October 1, 2005, this government will spend \$81,177 every second. I am going to wait about 4 seconds here and well run up about \$320,000. A lot of that money is spent correctly, but much of it is spent in ways that we probably ought to leave that money with our taxpayers.

My colleague from Texas said earlier, every single dollar that the Federal

Government collects came out of somebody's earnings, some business' earnings. We have got people all over this country that go to work every day to try to make money, they try to figure out a way the services they can provide to an employer or some product they can build and sell for a profit, use their ingenuity, use their sweat equity, use the hard work to make that money, and the Federal Government comes in and takes a slice of that to help run this Federal Government. That is just the scheme we have in place.

But do not lose sight of the fact it is taken away from those taxpayers really at the point of a gun, because we require that they collect those taxes from you.

The other side always makes a lot about tax cuts and quote-unquote paying for those tax cuts. Money that is collected in the general revenue, general income taxes, goes into one large bucket. Let us put a disconnect, as we should, between the way we collect the money and the way that money is spent.

So when the other side talks about this reduction in spending as a result of this tax cut, that is really illogical in the sense you really cannot connect those dollars. We do not put in an increase in capital gains to pay for some extra program. We do not do it that way. So let us make sure we disconnect the tax connection scheme from the way the money is being used.

Finally, let me give you one quick anecdote and help put some perspective on this. I helped raise money in West Texas through the United Way for a number of years, and generally every year we were blessed with the philanthropy of that community giving more money to the United Way and its agencies each year than it did the previous year.

Well, we went through a string of about 15 years where we raised more money than we did the year before, all the agencies got a little more money. But we had a catastrophic year, it happened about the time that the price of oil went to eight bucks a barrel back in 98-99, and we actually raised less money.

So all of the agencies that were dependent on those United Way collections actually got a real cut; not a reduction in the growth, but a real cut in their spending. So they had to go back and look at everything they did. They had to go back and make hard choices between what were programs that they decided they had to set a priority on. They had to force themselves through a catharsis of having to readjust how they spent money.

Today, every single one of those agencies is still around, they are still after their core mission, they are still doing the great work they have done, but they are better at it as a result of having gone through the tough times.

So when people talk about reducing the amount of funds available to an agency, what we are really talking

about is asking that agency to figure out a way to do your mission better and more effectively.

So, the gentleman from Texas is great to have hosted this hour. We have chewed up an awful lot of it. I suspect the gentleman has a lot of things you want to say.

Mr. HENSARLING. Mr. Speaker, reclaiming my time, I certainly thank the gentleman for joining us this evening. Would it not be wonderful if they had a few accountants on the other side of the aisle who could actually let them know how you are supposed to count numbers?

The gentleman from Texas, my home State, made some excellent points. We have gone over a number of the different wastes that we find in the Federal budget. But, again, as we face our challenges, as we face trying to bring this Federal deficit down, and we are making progress, we are making huge progress under this Republican administration and this Republican Congress, but we still have a ways to go.

If we are going to bring the deficit down, if we are going to find the funds to help offset this hurricane relief, the money is only going to come from one of three places. The Democrats do not want to tell you, but they want to raise taxes. There are food stamp overpayments that cost \$600 million annually, yet the Democrats want to raise taxes on American families. The school program abuse is costing over \$120 million annually, yet Democrats want to raise taxes on American families. Veteran program overpayments cost \$800 million annually, yet Democrats want to raise taxes on American families. And the list goes on and on and on.

Mr. Speaker, let us take a look at tax relief, because all we hear from our colleagues on the other side of the aisle is that if we would only raise taxes on the American people, we could be fiscally responsible. Let us take a look at what tax relief is all about.

Number one, when you look at the amount of tax relief that we have passed in the Federal budget, let us assume for a second that all tax relief, as the Democrats would lead you to believe, is somehow wasted money. They do not realize it is not their money. It is money that belongs to American families, it is money that belongs to small businesses, people who go out and work hard and create jobs. Number one, it is not their money, it is the people's money, and we will never forget that.

But let us assume for a fact that somehow we wasted money by allowing American families to keep more of it.

Mr. Speaker, in a \$13.9 trillion budget, tax relief is less than 1 percent of that budget. So when we talk about what is necessary to bring down the Federal deficit, again, over 99 percent of the challenge lies on the spending side. But the truth is, Mr. Speaker, letting American families and small businesses keep more of what they earn is not part of the deficit problem, it is part of the deficit solution.

Again, any Member is entitled to their own opinion, but they are not entitled to their own facts. I have in my hand here the latest report from the U.S. Treasury talking about tax revenues. And what do we discover? Well, we discover that since we passed tax relief for the American people as part of an economic growth program, well, guess what?

Mr. Speaker, corporate income taxes are up 47 percent. Individual income taxes are up almost 15 percent. Total receipts are up almost \$300 billion. Again, this is not my opinion, these are the facts.

Look at this chart, Mr. Speaker. Look what has happened since we passed tax relief for the American people. Every year we see tax revenue going up.

So in many respects, again, it is a bit of a tax increase, but it is the right tax increase. It results from economic growth. And what has happened is not only, not only, Mr. Speaker, have we managed to bring in more revenues to the government and bring the deficit down, the deficit has now declined \$319 billion.

□ 2310

The deficit has now declined \$319 billion, because we have more revenues. The deficit is coming down. But, not only that, 4 million new jobs have been created; 4 million new jobs. We are enjoying the highest rate of homeownership that we have ever enjoyed in the entire history of the United States of America, all due to tax relief. Yet, Democrats want to raise taxes on the American people. They are trying to raise them right now.

Mr. Speaker, that is just not right. They want to take the child tax credit away. They want to bring back the death tax. They want to take away accelerated depreciation for small businesses. They want to bring back the marriage penalty. All of this they are actively trying to do, trying to increase taxes on the American people to pay for all of this waste and all of this duplication that you have heard cited this evening.

But, Mr. Speaker, again, we cannot have tax increases. That is the wrong prescription for the economy.

Now, some people may say, well, it does not quite make sense. How do you cut tax rates and get more tax revenue? And how does this work into this whole debate about what is compassionate and what is not compassionate?

Well, Mr. Speaker, it was a number of months ago, but I went to go visit a small business in my congressional district back in Texas. I went to a small business that is called Jacksonville Industries in Jacksonville, Texas. They are a zinc and a dye-casting business and, due to competitive pressures, they were on the verge of having to lay off 2 people, 2 out of about 20, I believe, so that would have been 10 percent of their work force. That would have been pretty sizable. But due to our tax re-

lief, they were able to go out and buy a new piece of modern equipment that helped make them more efficient. Now, I could not tell you exactly what it did, but I saw it, it was big, it was noisy, it was large. But most importantly, Mr. Speaker, it made them more efficient. Instead of having to lay off 2 people, they were able to hire 3 new people. Now, think about that, Mr. Speaker. That is 5 people. Five people that could have been on unemployment, 5 people that could have been on welfare, 5 people that could have been on food stamps.

Now, that is how the Democrats measure compassion. They only know one way to measure compassion, and that is how many welfare checks do you write. We believe that compassion is measured by how many paychecks you write. So instead of having 5 people over here on welfare and unemployment and food stamps, there were 5 people that, due to tax relief, had good jobs. They were able to put a roof over their heads. They were able to put food on their tables. They were able to help provide education and transportation for their children.

Again, compassion is not measured by how many welfare checks are written, it is measured by how many paychecks that are written.

So, Mr. Speaker, we need to remember, as we are debating fiscal responsibility in the people's House, we need to think in terms of it is not a question of how much are we going to spend on education, how much are we going to spend on nutrition and how much are we going to spend on housing, but it is a question about who is going to do the spending. Democrats can only measure compassion by spending done by the Federal Government. And what we end up with, again, is all this waste, all this fraud, all this abuse, all this duplication. We want families to do the spending, and we know the difference between the 2. So tax relief is all about helping families, it is helping small businesses. So as we debate fiscal responsibility and how to bring down the deficit, we must recall that tax relief is part of the solution, it is not part of the problem.

Mr. Speaker, it is so important that we begin the work of reforming these different programs, because if we do not, the fiscal future of America, frankly, is very, very worrisome.

Right now, if you look at any of the different offices in Washington that are charged with accounting, the General Accountability Office, the House Budget Committee, the Congressional Budget Office, they will all tell you essentially the same thing, that we have spending patterns in the government today where we are going to have to double taxes on the American people in one generation just to balance the budget. You got medicare growing at 9 percent a year, medicaid at 7.8, Social Security, 5.5.

These are important programs and they need to be preserved, but they

have to be reformed, because they were instituted many, many years ago, many decades ago in a different era. They were not built in the 21st century, they are not meeting the demands of the 21st century, and they will not be here for our children, unless we reform them.

So as the Democrats attack tax relief and as they claim that there are somehow massive budget cuts going on, remember what their alternative is. Their alternative is going to be to double taxes on our children. I believe, Mr. Speaker, that that is simply, simply unconscionable. It is unconscionable, and a future that we must avoid.

Mr. Speaker, this kind of graphically represents that future. Today, government is taking up roughly 20 percent of our economy, roughly 20 percent of what we produce. Look what is going to happen in one generation. If we do not do anything to reform this out-of-control entitlement spending, if we do not start on the deficit reduction today, you are going to see government double, absolutely double in one generation.

These are the tax increases that are going to be needed to pay for that, something that we never see the Democrats talk about, but it is their plan, because they say, well, we are going to balance the budget. That is what they tell us. They say, we are going to be fiscally responsible. Yet, they will not reform any single government program. They will not reform any of them. So what is left? Doubling taxes on the American people in one generation.

Now, Mr. Speaker, I became a father 3½ years ago, and I am very blessed that my wife and I have 2 small children, a 3½ year old daughter and a 2 year old son. They have changed my life in so many wonderful ways. I can tell you, Mr. Speaker, I spend a whole lot of time now thinking about the next generation. Too many people here, though, are thinking about the next election. I do not want to leave my children this legacy of tax increases. I do not want to leave my children a legacy of debt. I want to leave my children and the children of America a legacy of more hope and more jobs and more opportunity and more freedom. That is what we are working on here. We have got to protect the family budget from the Federal budget, but we have to start today with this Deficit Reduction Act.

Mr. Speaker, I hope that we can come together. I hope we can work together as Republicans and Democrats and Independents and do something about this, because there is too much waste, there is too much fraud, there is too much abuse, there is too much duplication. The future can be brighter. It can be brighter for my children and your children and all children if we will only start today to save the family budget from the Federal budget by working on this Deficit Reduction Act.



## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MENENDEZ (at the request of Ms. PELOSI) for today after 4:00 p.m.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

(The following Members (at the request of Mr. JONES of North Carolina) to revise and extend their remarks and include extraneous material:)

Mr. FORBES, for 5 minutes, today.

Mr. NORWOOD, for 5 minutes, November 3.

Mr. FRANKS of Arizona, for 5 minutes, November 3.

Mr. WESTMORELAND, for 5 minutes, November 3.

SENATE CONCURRENT  
RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 56. Concurrent resolution expressing appreciation for the contribution of Chinese art and culture and recognizing the Festival of China at the Kennedy Center; to the Committee on International Relations.

## ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2967. An act to designate the Federal building at 333 Mt. Elliott Street in Detroit, Michigan, as the "Rosa Parks Federal Building."

## ADJOURNMENT

Mr. HENSARLING. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 19 minutes p.m.), the House adjourned until tomorrow, Thursday, November 3, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4890. A letter from the Chief, Regulatory Review Group, Department of Agriculture,

transmitting the Department's final rule — Guaranteed Farm Ownership and Operating Loan Requirements (RIN: 0560-AG65) received October 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4891. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Modifying Procedures and Establishing Regulations To Limit Shipments of Small Sizes of Red Seedless Grapefruit [Docket No. FV05-905-2 IFR] received September 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4892. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Food Labeling; Nutrient Content Claims, Definition of Sodium Levels for the Term "Healthy" [Docket Nos. 1991N-0384H and 1996P-0500] (formerly 91N-384H and 96P-0500) (RIN: 910-AC49) received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4893. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Quality Control of Aviation Critical Safety Items and Related Services [DFARS Case 2003-D101] received October 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

4894. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Michael A. Hough, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4895. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Martin E. Dempsey, United States Army, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

4896. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Lowell E. Jacoby, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

4897. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting a cost estimate of a Future Combat Systems (FCS) by the Cost Analysis Improvement Group (CAIG); to the Committee on Armed Services.

4898. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4899. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7885] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4900. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-D-7575] received August

23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4901. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4902. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7883] received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4903. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4904. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4905. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4906. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Project-Based Voucher Program [Docket No. FR-4636-F-02] (RIN: 2577-AC25) received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4907. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Technical Corrections — received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4908. A letter from the Acting Division Chief, WCB, Federal Communications Commission, transmitting the Commission's final rule — Communications Assistance for Law Enforcement Act and Broadband Access and Services [ET Docket No. 04-295; RM-10865] received October 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4909. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Laredo, Texas) [MB Docket No. 03-156; RM-10721] received October 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4910. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Hutchinson and Haven, Kansas) [MB Docket No. 04-376; RM-11039] received October 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4911. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Rule, Texas) [MM Docket No. 01-219; RM-10238] received October 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4912. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

4913. A letter from the Chairman and Co-Chairman, Congressional Executive Commission on China, transmitting the Commission's annual report for 2005, pursuant to Public Law 106-286; to the Committee on International Relations.

4914. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles and equipment to the Government of Canada and the Government of Australia (Transmittal No. DDTC 041-05); to the Committee on International Relations.

4915. A letter from the Chief Human Capital Officer/Director, HCM, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4916. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4917. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4918. A letter from the White House Liaison, Department of Justice, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

4919. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of Advisory Neighborhood Commission 3F for Fiscal Years 2003 Through 2005, as of March 31, 2005"; to the Committee on Government Reform.

4920. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, "Letter Report: Certification of the Sufficiency of the Washington Convention Center Authority's Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2006"; to the Committee on Government Reform.

4921. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, "Audit of Advisory Neighborhood Commission 5A for Fiscal Years 2003 Through 2005, as of March 31, 2005"; to the Committee on Government Reform.

4922. A letter from the Director, Federal Voting Assistance Program, Department of Defense, transmitting legislative proposals to simplify and streamline the absentee registration and voting process used by Uniformed Services members, overseas citizens, and their voting-age family members; to the Committee on House Administration.

4923. A letter from the Chairman, Flight 93 Advisory Commission, transmitting the Flight 93 National Memorial International Design Competition Summary Report, pursuant to Public Law 107-226 section 4(i)(1) (116 Stat. 1346); to the Committee on Resources.

4924. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone off Alaska; Groundfish of the Bering Sea and Aleutian Islands Area [Docket No. 02121307-3037-02; I.D. 120303A] received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4925. A letter from the Director, Regulatory Management Division, USCIS, Department of Homeland Security, transmitting the Department's final rule — Adjustment of the Appeal and Motion Fees To Recover Full Costs [CIS No. 2245-02 and Docket No. DHS-2004-0021] (RIN: 1615-AA88) received September 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

4926. A letter from the Corporation Agent, Legion of Valor of the United States of America, Inc., transmitting a copy of the Legion's annual audit as of April 30, 2005, pursuant to 36 U.S.C. 1101(28) and 1103; to the Committee on the Judiciary.

4927. A letter from the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded \$5 million for the response to the emergency declared as a result the influx of evacuees from areas struck by Hurricane Katrina beginning on August 29, 2005 in the State of Arkansas, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

4928. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — HUBZone, Government Contracting, 8(a) Business Development and Small Business Size Standard Programs (RIN: 3245-AF31) received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

4929. A letter from the Secretary, Department of Health and Human Services, transmitting a draft bill entitled, "New Freedom Initiative Medicaid Demonstrations Act of 2005"; jointly to the Committees on Energy and Commerce and Ways and Means.

4930. A letter from the Deputy Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2006-1, waiving and certifying the statutory provisions regarding the Palestine Liberation Organization (PLO) Office; jointly to the Committees on International Relations and Appropriations.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEWIS of California: Committee on Appropriations. Report on the Revised Sub-allocation of Budget Allocations for Fiscal Year 2006. (Rept. 109-264). Referred to the Committee of the Whole House on the State of the Union.

Mr. KOLBE: Committee on Conference. Conference report on H.R. 3057. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109-265). Ordered to be printed.

Mr. GINGREY: Committee on Rules. House Resolution 527. Resolution providing for consideration of the bill (H.R. 4128) to protect private property rights (Rept. 109-266). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BAIRD:

H.R. 4196. A bill to establish a National Foreign Language Coordination Council; to the Committee on Education and the Workforce.

By Mr. WATT (for himself, Mr. CONYERS, Mr. RANGEL, Mr. OWENS, Mr. TOWNS, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. JEFFERSON, Ms. NORTON, Ms. WATERS, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. CLYBURN, Mr. HASTINGS of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. SCOTT of Virginia, Mr. WYNN, Mr. THOMPSON of Mississippi, Mr. FATTAH, Ms. JACKSON-LEE of Texas, Mr. JACKSON of Illinois, Ms. MILLENDER-MCDONALD, Mr. CUMMINGS, Ms. CARSON, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. FORD, Ms. KILPATRICK of Michigan, Mr. MEEKS of New York, Ms. LEE, Mrs. JONES of Ohio, Mr. CLAY, Ms. WATSON, Mr. DAVIS of Alabama, Mr. MEEK of Florida, Mr. SCOTT of Georgia, Mr. BUTTERFIELD, Ms. MCKINNEY, Mr. CLEAVER, Mr. AL GREEN of Texas, and Ms. MOORE of Wisconsin):

H.R. 4197. A bill to provide for the recovery, reclamation, restoration and reconstruction of lives and communities and for the reunion of families devastated by Hurricane Katrina and to address the issues of poverty exposed by Hurricane Katrina; to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, Financial Services, Energy and Commerce, Transportation and Infrastructure, Education and the Workforce, Small Business, Government Reform, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 4198. A bill to amend the Safe Drinking Water Act with respect to developing additional methods for assessing the health effects of drinking water contaminants on infants, children, women, and pregnant women, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BOEHLERT:

H.R. 4199. A bill to amend the Internal Revenue Code of 1986 to extend the environmental tax on corporate income; to the Committee on Ways and Means.

By Mr. WALDEN of Oregon (for himself, Mr. BAIRD, Mr. GILCREST, Ms. HERSETH, Mr. FLAKE, Mr. THOMPSON of Mississippi, Mr. PETERSON of Pennsylvania, Mr. BOYD, Mr. PICKERING, Mr. OBERSTAR, Mr. SHADEGG, Mr. BERRY, Mr. WICKER, Mr. LEWIS of California, Mr. ROSS, Mr. HASTINGS of Washington, Mr. PETERSON of Minnesota, Mr. GOODLATTE, Mr. TERRY, Mr. POMBO, Mr. JINDAL, Mrs. DRAKE, Mr. OTTER, Mr. NORWOOD, Mr. DUNCAN, Mr. REHBERG, Mr. HAYWORTH, Mr. ROGERS of Michigan, Mr. PEARCE, Mr. GIBBONS, Mr. DEAL of Georgia, Mrs. CUBIN, Mr. CANNON, Mr. BROWN of South Carolina, Miss McMORRIS, Mr. TAYLOR of North Carolina, Mr. RADANOVICH, Mr. SIMPSON, Mr. RENZI, Mr. YOUNG of Alaska, Mr. MCCREERY, Mr. GOHMERT, Mr. HAYES, Mr. HERGER, Mr. HEFLEY, Mr. DOOLITTLE, Mr. BONNER, Mr. TANCREDO, Mr. BOEHNER, Mr. BRADY of Texas, Mr. BISHOP of Utah, Ms. FOX, Mr. ISSA, Mr. HUNTER, Mr. MCKEON, Mr. BURGESS, Mr. CALVERT, Mr. ALEXANDER, Mr. COLE of Oklahoma, Mr. BARTLETT of Maryland, Mr. GOODE, Mr. GUTKNECHT, Mr. SHERWOOD, Mr. HOEKSTRA, Mrs. BLACKBURN, Mr. WILSON of

South Carolina, Mr. ROHRBACHER, Mr. KNOLLENBERG, Mr. NUNES, Mr. SESSIONS, Mr. GINGREY, Mr. BARTON of Texas, Ms. GRANGER, Mr. REYNOLDS, Mr. TIAHRT, Mr. BLUNT, Mr. KINGSTON, Mr. CANTOR, Mr. BEAUPREZ, Mr. WHITFIELD, Mr. EVERETT, Mr. PLATTS, Mr. BOOZMAN, Mrs. MUSGRAVE, Mr. SOUDER, Mr. SAXTON, Mr. PUTNAM, Mr. LINDER, Mr. ENGLISH of Pennsylvania, Mr. THOMAS, Mr. CULBERSON, Mr. BASS, Mr. JONES of North Carolina, Mr. ROGERS of Kentucky, Mr. BARRETT of South Carolina, Mr. DAVIS of Kentucky, Mr. WAMP, Mr. LEWIS of Kentucky, and Mr. DANIEL E. LUNGREN of California):

H.R. 4200. A bill to improve the ability of the Secretary of Agriculture and the Secretary of the Interior to promptly implement recovery treatments in response to catastrophic events affecting Federal lands under their jurisdiction, including the removal of dead and damaged trees and the implementation of reforestation treatments, to support the recovery of non-Federal lands damaged by catastrophic events, to revitalize Forest Service experimental forests, and for other purposes; to the Committee on Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO (for himself, Mr. VAN HOLLEN, Mr. FRANK of Massachusetts, Mr. LANTOS, Mr. RUPPERSBERGER, Mr. SANDERS, Mr. FARR, Mr. BRADY of Pennsylvania, Mr. MORAN of Virginia, Mr. MCGOVERN, Mr. NADLER, and Mr. TOWNS):

H.R. 4201. A bill to amend title 5, United States Code, to increase the amount of additional compensation payable to an employee who is disabled and requires the services of an attendant, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CONYERS (for himself, Mr. SCOTT of Virginia, Mr. RANGEL, and Ms. JACKSON-LEE of Texas):

H.R. 4202. A bill to encourage successful reentry of incarcerated persons into the community after release, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, Energy and Commerce, Ways and Means, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 4203. A bill to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil and to rebate the tax collected back to the American consumer, and for other purposes; to the Committee on Ways and Means.

By Mr. DOOLITTLE:

H.R. 4204. A bill to direct the Secretary of the Interior to transfer ownership of the American River Pump Station Project, and for other purposes; to the Committee on Resources.

By Mr. FORD:

H.R. 4205. A bill to provide incentives to encourage private sector efforts to reduce earthquake losses, to establish a national disaster mitigation program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Science, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions

as fall within the jurisdiction of the committee concerned.

By Mr. FORTUÑO:

H.R. 4206. A bill to amend section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to permit Puerto Rico to qualify for Federal reimbursement of emergency health services furnished to undocumented aliens; to the Committee on Energy and Commerce.

By Mr. FORTUÑO (for himself and Mr. MCCRERY):

H.R. 4207. A bill to amend title XVIII of the Social Security Act to provide for equity in the calculation of Medicare disproportionate share hospital payments for hospitals in Puerto Rico; to the Committee on Ways and Means.

By Mr. GERLACH:

H.R. 4208. A bill to amend title 35, United States Code, to promote research among universities, the public sector, and private enterprise in the informatics realm; to the Committee on the Judiciary.

By Ms. MCKINNEY:

H.R. 4209. A bill to temporarily deny Federal assistance to the City of Gretna Police Department, the Jefferson Parish Sheriff's Office, and the Crescent City Connection Division Police Department in the State of Louisiana for their maltreatment of individuals seeking aid during the Hurricane Katrina crisis, and for other purposes; to the Committee on the Judiciary.

By Ms. MCKINNEY:

H.R. 4210. A bill to provide for the expeditious disclosure of records relevant to the life and death of Tupac Amaru Shakur; to the Committee on Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEK of Florida:

H.R. 4211. A bill to expand certain preferential trade treatment for Haiti; to the Committee on Ways and Means.

By Mr. PALLONE (for himself and Mr. RAMSTAD):

H.R. 4212. A bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself, Mr. RANGEL, Mr. CONYERS, Mr. THOMPSON of Mississippi, Mr. JEFFERSON, Mr. PAUL, Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. AL GREEN of Texas, and Mr. HASTINGS of Florida):

H.R. 4213. A bill to suspend temporarily the application of laws which would deny certain federal benefits, entitlements, and grants to victims of Hurricane Katrina or Hurricane Rita due to convictions for certain drug crimes; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, Education and the Workforce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS (for himself, Mr. WILSON of South Carolina, and Mrs. BLACKBURN):

H.R. 4214. A bill to provide for certain cost cutting measures for Amtrak; to the Committee on Transportation and Infrastructure.

By Mr. STRICKLAND (for himself, Mr. STUPAK, Mr. FORD, and Mr. DAVIS of Tennessee):

H.R. 4215. A bill to amend the matching grant program for bulletproof armor vests to eliminate the matching requirement for certain officers; to the Committee on the Judiciary.

By Mr. WU:

H.R. 4216. A bill to improve the accountability provisions of the part A of title I of the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CASTLE (for himself, Ms. WOOLSEY, Mr. BOEHNER, Mr. GEORGE MILLER of California, Mr. NORWOOD, Mr. KILDEE, Mrs. BIGGERT, Mr. OWENS, Mr. FORTUÑO, Mr. PAYNE, Mr. BOUSTANY, Mr. HINOJOSA, Mrs. JOHNSON of Connecticut, Mrs. MCCARTHY, Ms. ROS-LEHTINEN, Mr. KUCINICH, Mr. RAMSTAD, Mr. HOLT, Mr. BASS, Ms. MCCOLLUM of Minnesota, Mr. ENGLISH of Pennsylvania, Mr. GRIJALVA, Mr. LOBIONDO, Mr. VAN HOLLEN, Mr. FOSSELLA, Mr. MOORE of Kansas, Mr. SESSIONS, Ms. MILLENDER-MCDONALD, Mr. SHIMKUS, Mr. FILNER, Mr. REYNOLDS, and Ms. SLAUGHTER):

H. Con. Res. 288. Concurrent resolution recognizing the 30th anniversary of the enactment of the Education for All Handicapped Children Act of 1975 and reaffirming support for the Individuals with Disabilities Education Act so that all children with disabilities have access to a free appropriate public education in the least restrictive environment; to the Committee on Education and the Workforce.

By Mr. INSLEE (for himself and Mr. SHAYS):

H. Con. Res. 289. Concurrent resolution supporting the goal and mission of America Recycles Day; to the Committee on Government Reform.

By Mr. CANNON (for himself, Mr. BISHOP of Utah, and Mr. MATHESON):

H. Res. 528. A resolution requesting the President to designate the Thursday before Thanksgiving Day as "Feed America Thursday"; to the Committee on Agriculture.

By Mr. GALLEGLY (for himself, Mr. RADANOVICH, and Mr. VISCLOSKEY):

H. Res. 529. A resolution recommending the integration of the Republic of Croatia into the North Atlantic Treaty Organization; to the Committee on International Relations.

By Ms. WATERS:

H. Res. 530. A resolution expressing the sense of the House of Representatives condemning the actions of the Gretna Police Department, the Jefferson Parish Sheriff's Department and all officers under their command who closed to foot traffic the Greater New Orleans Bridge in the aftermath of Hurricane Katrina and prevented hundreds of citizens from evacuating the City of New Orleans, and recognizing that at all times and especially during a time of national crisis, that all citizens should be treated in a lawful manner and with dignity and respect; to the Committee on the Judiciary.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 147: Ms. PRYCE of Ohio and Mrs. SCHMIDT.

H.R. 224: Mr. THOMPSON of Mississippi, Mr. DAVIS of Tennessee, and Mrs. JONES of Ohio.

H.R. 365: Mr. ENGLISH of Pennsylvania.

H.R. 487: Mr. SCHIFF.  
H.R. 500: Mr. GILCHREST and Mr. MILLER of Florida.  
H.R. 690: Mr. HOYER.  
H.R. 857: Mr. FILNER.  
H.R. 874: Mr. RYUN of Kansas and Mr. BONNER.  
H.R. 949: Ms. CARSON, Mr. HOLDEN, and Ms. SOLIS.  
H.R. 972: Mr. VAN HOLLEN.  
H.R. 1105: Mr. ABERCROMBIE and Mr. DOYLE.  
H.R. 1125: Mrs. LOWEY.  
H.R. 1259: Mr. ISSA, Mr. DAVIS of Kentucky, Mr. BAIRD, and Mrs. JO ANN DAVIS of Virginia.  
H.R. 1281: Mr. SANDERS.  
H.R. 1337: Mr. BURTON of Indiana and Mrs. CAPITO.  
H.R. 1351: Mr. KENNEDY of Minnesota.  
H.R. 1390: Mr. STUPAK and Mr. DOGETT.  
H.R. 1402: Ms. BEAN and Ms. ROS-LEHTINEN.  
H.R. 1471: Mr. WELLER.  
H.R. 1545: Mr. COLE of Oklahoma.  
H.R. 1577: Mr. COSTA.  
H.R. 1588: Mr. OBERSTAR.  
H.R. 1591: Mr. LANGEVIN.  
H.R. 1592: Mr. LANGEVIN.  
H.R. 1595: Mrs. BLACKBURN, Mr. GALLEGLY, and Mr. MELANCON.  
H.R. 1667: Mrs. MALONEY.  
H.R. 1704: Ms. MOORE of Wisconsin and Mr. PETERSON of Minnesota.  
H.R. 1849: Ms. CARSON.  
H.R. 1951: Mr. PLATTS.  
H.R. 1994: Ms. KAPTUR.  
H.R. 2012: Mr. RYUN of Kansas.  
H.R. 2045: Mr. PETRI and Mr. SODREL.  
H.R. 2048: Mr. CONAWAY, Mr. GENE GREEN of Texas, Ms. SCHAKOWSKY, Mr. BOOZMAN, and Mr. GINGREY.  
H.R. 2134: Mr. McNULTY, Ms. WASSERMAN SCHULTZ, Mr. ROTHMAN, Mr. WALSH, and Mr. MOORE of Kansas.  
H.R. 2217: Mr. PAYNE.  
H.R. 2238: Mr. GILCHREST and Mr. BARROW.  
H.R. 2292: Mr. RAHALL.  
H.R. 2328: Mr. TIBERI.  
H.R. 2357: Mr. DOYLE.  
H.R. 2554: Mr. OWENS, Mr. GRIJALVA, Mr. WYNN, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Alabama, Mr. FALEOMAVAEGA, and Ms. KILPATRICK of Michigan.  
H.R. 2669: Mr. NEAL of Massachusetts and Mr. ACKERMAN.  
H.R. 2671: Mr. ALLEN, Mr. BOOZMAN, Mr. OWENS, Mr. ABERCROMBIE, and Mr. FITZPATRICK of Pennsylvania.  
H.R. 2682: Mr. MCINTYRE and Mrs. MALONEY.  
H.R. 2793: Ms. HERSETH, Mr. CONAWAY, and Mr. EHLERS.

H.R. 2803: Mr. BOYD and Mr. BUTTERFIELD.  
H.R. 2830: Mr. GERLACH.  
H.R. 2892: Mr. CAPUANO.  
H.R. 2932: Mr. TANNER and Mr. DAVIS of Tennessee.  
H.R. 2943: Mr. RAMSTAD.  
H.R. 3074: Mr. PRICE of Georgia.  
H.R. 3151: Mr. McDERMOTT.  
H.R. 3334: Mr. CROWLEY, Mr. PAYNE, and Mr. BARROW.  
H.R. 3352: Mr. MARSHALL.  
H.R. 3361: Mr. FITZPATRICK of Pennsylvania.  
H.R. 3401: Mr. BARRETT of South Carolina.  
H.R. 3436: Mr. MCHENRY.  
H.R. 3442: Ms. WOOLSEY.  
H.R. 3476: Mr. JINDAL.  
H.R. 3478: Mr. SANDERS, Mr. WILSON of South Carolina, Mr. LYNCH, Mr. BISHOP of Georgia, Mr. ROGERS of Alabama, Mr. REYES, Mr. KUHLMANN of New York, Mr. FORD, and Mr. TAYLOR of Mississippi.  
H.R. 3505: Ms. HARRIS.  
H.R. 3561: Ms. WOOLSEY and Mr. BARROW.  
H.R. 3579: Mr. SNYDER and Mr. PLATTS.  
H.R. 3607: Mr. McNULTY.  
H.R. 3628: Mr. BARROW.  
H.R. 3630: Mr. GILCHREST and Mr. SIMPSON.  
H.R. 3639: Mr. KLINE.  
H.R. 3640: Mr. WAXMAN, Mr. HONDA, Ms. SOLIS, Mrs. CHRISTENSEN, and Ms. SCHAKOWSKY.  
H.R. 3644: Mr. DAVIS of Kentucky and Mr. BOEHLERT.  
H.R. 3661: Mr. CARTER and Mr. HALL.  
H.R. 3781: Mr. McDERMOTT.  
H.R. 3858: Mrs. NAPOLITANO, Mr. MENENDEZ, and Mr. ANDREWS.  
H.R. 3889: Mr. TOM DAVIS of Virginia and Mr. NEY.  
H.R. 3949: Mr. FORD, Mr. BISHOP of Georgia, Mr. PALLONE, Mr. REYES, Mr. BRADY of Pennsylvania, Mr. ALEXANDER, Mr. KUCINICH, Mr. REHBERG, and Mr. BOEHLERT.  
H.R. 3964: Mr. GRIJALVA and Ms. BALDWIN.  
H.R. 3969: Mr. CONAWAY, Mr. REHBERG, and Mr. KUHLMANN of New York.  
H.R. 3975: Mr. MILLER of Florida and Mr. TIAHRT.  
H.R. 3985: Mr. SCHIFF and Mr. BISHOP of Georgia.  
H.R. 4008: Ms. DEGETTE.  
H.R. 4015: Mr. SCOTT of Georgia.  
H.R. 4025: Mrs. NAPOLITANO, Mr. COSTELLO, Mr. DAVIS of Tennessee, and Mr. GUTKNECHT.  
H.R. 4045: Mr. NADLER and Mr. WEINER.  
H.R. 4054: Mr. ISTOOK, Mr. COLE of Oklahoma, Mr. LUCAS, and Mr. BOREN.  
H.R. 4072: Mr. BASS.  
H.R. 4113: Mr. REHBERG.  
H.R. 4127: Mr. GILLMOR.

H.R. 4145: Ms. KAPTUR, Mr. SHAYS, Mr. FALEOMAVAEGA, Mr. PRICE of North Carolina, Mr. CHABOT, Mr. LoBIONDO, Mr. KILDEE, Ms. PELOSI, Mr. STUPAK, Mr. McDERMOTT, Ms. ZOE LOFGREN of California, Mr. FARR, Mrs. BIGGERT, Mr. NEAL of Massachusetts, Mr. MURTHA, Mr. CAPUANO, Mr. WEINER, Ms. VELÁZQUEZ, Mr. MANZULLO, Ms. SLAUGHTER, and Mr. GRIJALVA.  
H.R. 4157: Ms. HART, Mr. ROGERS of Michigan, and Ms. JACKSON-LEE of Texas.  
H.R. 4174: Mr. WEINER and Mr. TOWNS.  
H. Con. Res. 42: Mrs. JO ANN DAVIS of Virginia.  
H. Con. Res. 235: Mr. SNYDER and Mr. HOLDEN.  
H. Con. Res. 260: Mr. MEEHAN and Mr. DAVIS of Alabama.  
H. Con. Res. 280: Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. CROWLEY, and Mr. GUTIERREZ.  
H. Con. Res. 282: Mr. STARK and Mr. MCGOVERN.  
H. Con. Res. 286: Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Mr. OWENS, Mr. CUMMINGS, Mr. MEEKS of New York, and Mr. RANGEL.  
H. Res. 196: Mr. VISLOSKEY.  
H. Res. 215: Mr. CHOCOLA, Mr. BROWN of South Carolina, and Mrs. CUBIN.  
H. Res. 223: Ms. ROS-LEHTINEN, Mr. FITZPATRICK of Pennsylvania, and Mr. ACKERMAN.  
H. Res. 286: Mr. SHERMAN.  
H. Res. 302: Mr. KLINE and Mr. FOSSELLA.  
H. Res. 458: Mr. LANGEVIN.  
H. Res. 477: Mr. MILLER of North Carolina.  
H. Res. 489: Mr. MEEKS of New York, Ms. SCHAKOWSKY, Mr. CONYERS, Mr. SHAYS, Mr. PETRI, Mr. WOLF, Mr. LEVIN, Ms. KAPTUR, Mr. GEORGE MILLER of California, Mr. BARROW, Mr. COSTA, Mr. GRIJALVA, Mrs. NAPOLITANO, and Mr. FILNER.  
H. Res. 504: Mr. TANCREDO.  
H. Res. 505: Mr. McDERMOTT, Mr. ABERCROMBIE, Mr. CONYERS, Mr. ACKERMAN, and Mrs. MALONEY.  
H. Res. 510: Mr. BERMAN, Mr. UDALL of New Mexico, Mrs. MCCARTHY, Mrs. MALONEY, Mr. SAXTON, Mr. KING of New York, Mrs. NAPOLITANO, and Mr. KENNEDY of Minnesota.  
H. Res. 517: Mr. NADLER, Mr. BRADY of Pennsylvania, Mr. OBERSTAR, and Mr. CAPUANO.  
H. Res. 524: Mr. CLAY and Ms. SOLIS.  
H. Res. 526: Mr. McDERMOTT and Mr. PAYNE.